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A CRISIS has probably been reached in the relations between the United States and Mexico. Warships are on their way to Vera Cruz in order to safeguard the lives of Americans from the violence which is threatened as a consequence of the proposals for Mexican reconstruction made by this government to the other American states. The result may be the landing of another armed force on Mexican soil; but if so there is one consolation for the taking of such a distressing step. In the long run it could have been avoided only by extraordinary good luck or good management. The influence which the American government has attempted to exercise upon the course and the outcome of the Mexican revolution was almost certain in the end to require the use of coercion. President Wilson has done and will continue to do all that is possible to avoid it. He has hoped by securing the moral support of other American countries and by acting in Mexico only through Mexican agencies, to restore an effective government without armed intervention. As a consequence of having given so many proofs of American disinterestedness and reluctance to intervene he may not have to send very many soldiers into Mexico, but it would be sheer perversity in the President and in the country not to be ready and willing to send a sufficient number when and where they are really needed.

WILL armed intervention either now or later prevent the President from securing the support in South America and Mexico upon which he has been depending for the success of the work of reconstruction? We do not believe that it will. To be sure, the other American powers have already exhibited scruples upon precisely this point. They are never likely expressly to approve the dispatch of American soldiers to Mexico, but provided they can be convinced of the necessity of the measure they will tacitly acquiesce, because as practical men they will realize that a continuation of Mexican anarchy is a threat to the whole fabric of American civilization. The effect of armed intervention upon Mexican public opinion will constitute a more serious difficulty. It would be very much better to send American troops to the aid of an already established Mexican government than to set up a government in the shadow of an American army. But the President may not be able to choose. He is dealing with Mexican leaders who refuse to support any government except one which they themselves control. Instead of making it easy for the President to organize reconstruction through Mexican instruments, they will throw every obstacle in his way. They may force him to intervene in the hope that intervention will wreck his plans. But it will not wreck his plan. Before or after intervention he must set up a Mexican government which will assert its authority by means of American aid. Even resentment against American coercion will not be sufficient to prevent the Mexicans from rallying eventually to the support of such a government. They know by this time that peace and order have become necessary, not merely to their immediate welfare but to the realization of those political and economic reforms which the revolution has rendered possible.

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IN a letter to the New York *Times* Professor Kuno Francke puts the following question to the American people: "If the continued sale of arms to one of the belligerents from an officially neutral country should finally come to be one of the decisive factors in the issue of this war, would that be an issue to which the United States would have reason to point with pride as a victory of international morality?" We should like to see this question argued frankly and answered with a full sense of its critical importance. The American government is entitled to evade it as long as it can, but public opinion should face it. If it is not courageously faced and candidly answered, the national conscience will have miserably failed to meet the most elementary responsibility imposed on it by the war.

THE tables seem to have been turned on Warden Osborne's enemies. Some of them face criminal indictments, and all of them are demoralized by the determination with which enlightened sentiment has rallied to Mr. Osborne. The charges made against him have proven to be thin as air and mean as mud. A general accusation of "anarchy" at Sing Sing has materialized into no specific evidence. There is no evidence of anarchy at Sing Sing. There is, on the contrary, a great mass of uncontradicted testimony to show that Sing Sing has never known a morale comparable to what now prevails. There have been escapes, but there have been less of them than during any other equal period. There have been a few scuffles, but no disorder which can be mentioned in the same breath with the chronic riots of the old regime. The other charge has been that immorality exists. By immorality is meant, we presume, homosexual practice. Of course it exists. Is there anyone unsophisticated enough to suppose that you could lock up sixteen hundred men and not have it exist?

MANY people who approve the Osborne scheme fail to grasp the real significance of it. It is regarded as a mere humanitarian softening of ancient cruelties. Mr. Osborne works with a sounder psychological principle than that of mere uncritical harshness. He has realized that if you put over the prison gate the legend of hell, telling all who enter to abandon hope, you have destroyed all instruments of discipline and education. You have to fall back upon the club and the solitary cell, and you turn out of the prison men who are worse than when they entered it. Mr. Osborne's plan is to create a social system, segregated from normal society and deeply unpleasant at best, but a social system in which there is incentive to improvement, opportunity to develop responsibility. In other words, he makes prison a place in which a man has something to gain and something to lose, and consequently retains the moral foundations of discipline. By allowing freedom he retains the coercive power to take it away. By making freedom collective he creates a public opinion in the prison which is jealous for discipline instead of hostile to it. Prison becomes not an interruption of normal life, but a special form of it, a place of acute moral standards, of quick rewards and punishments. It becomes a stern school of morality instead of a degradation. A man who has passed through the Osborne regime has had a very real training in the elements of democratic citizenship.

THE idea that prison under any plan will become tempting and enjoyable is incomprehensible. If anyone seriously supposes that men will prefer prison to freedom, he is unconsciously uttering the most damning criticism of free society. If Sing Sing is better than the slums in which criminals are bred, what worse thing can be said about the slums? If the old regime or anything like it is required in order to create a contrast with free "civilization," what a terrible civilization we must have. No criminal who is not insane or morbid will ever regard even the most enlightened prison as anything but a punishment. To stay in one place for years, to have celibacy forced upon him, to be cut off from his old haunts and his old companions, to be marked out as a convict, to lose practically all freedom of action, that is hard enough for a man. A few human privileges will not compensate for it.

THE spectacle of the gradual but inexorable disintegration of the Progressive organization since the election of 1912 suggests a doubt whether it will ever be possible to create a new national party which can compete with the two old parties as a responsible organ of government. The Progressives were united only in spots. Although they were sufficiently agreed in favor of the platform of 1912, they were divided in their opinions on many of the other issues. For instance, they would have been incapable of agreeing upon the kind of foreign policy which ought to be associated with their domestic program. They were equally incapable of making their party organization effective in relation to those purely local issues which arouse so much interest in the average American. A group of voters, that is, which was sufficiently well united upon a general program of social and political reform would be far from being united as to the application of their principles to foreign or to local affairs. The liability to such divisions will always constitute the practical weakness of a party of ideas. The two older parties are in part united by traditions and by an undertone of class feeling, but their

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success as partisan organizations depends on the willingness of their members to sacrifice individual convictions in the interests of party unity. The party is to them a very real and valuable thing, whose preservation is worth the subordination of their own private opinions. Republicans and Democrats are held together more by personal loyalty, by the habit of association, by common interests, and by the fear of the consequences of independence, than by common convictions. Every party whose chief purpose is to control the government must be bound together by a cement of this kind; and a party such as the Progressives or the Socialists, whose bond of union is common ideas, cannot acquire this kind of unity. Ideas are more fruitful of schism than of orthodoxy. They divide no less than they unite.

A MOVEMENT is gathering headway in the United States which may diminish the obstacles to the practical success of a party of ideas. This is the attempt which is being made in California and other states to prevent the national political organizations from continuing effective in state politics. If, as a result of this movement, the state governments could be controlled by local parties, differing in their membership from the national parties within the same political boundaries, an important step would be taken towards the emancipation of public opinion and individual conviction from the bondage of partisan necessities and loyalties. In that case the indispensable area of agreement among the fellow members of a national party would be very much diminished. A voter could cultivate one set of associates in national politics, another in state politics, and still another in municipal politics; and by so doing he would very much increase the fullness of his political experience and make each one of his separate political associations far more significant. Voters would be united for some purposes and divided for others, and their partial divisions would not prejudice or injure their equally partial agreements. A party of ideas would no longer expect to dominate the whole political thought and action of its membership. Differences of conviction would be less likely to develop into schisms, because their legitimacy would be recognized and adequate means afforded for their expression. A very vital democratic interest is involved in the success of this attempt to give flexibility to the organization of public opinion for political purposes.

LOOKING at the line protecting the left bank of the Isonzo," says the Italian minister of justice, Signor Orlando, " one receives the impression that God, in creating it, acted like an omnipotent officer of military engineering, rendering the task of defense as easy as the task of attacking is formidable." Looking at Signor Orlando's remark one receives the impression that here is the first public admission by an inhabitant of any belligerent country, that God may conceivably be on the enemy's side. Looking a little harder, one receives the impression that Signor Orlando has made no such admission. The region referred to is part of Italia irredenta, and its maker might have made it different if he had not meant Italians to have it and hold it.

SOCIALIST manifestos appearing in Germany bear the signatures of Bernstein and Kautsky. They state that the war has ceased to be for national defense and has become a war of conquest. The importance of the news lies in the fact that Bernstein and Kautsky represent the moderate and even the conservative wing of the German social democracy. Liebknecht has always been on the extreme left, and his courageous stand was more or less to be expected. But Kautsky is the vicar of Marx, the pope of orthodox socialism. Bernstein is known as a revisionist, which means roughly that in this country he might be classed either with men like LaFollette or with socialists like Victor Berger. This stand now is significant because it means that the most representative German Socialists are swinging back with the opposition. They can do little to affect the war, but they can do something to affect the terms of peace, and they can do much more in the reconstruction which follows. The nightmare of a united Germany is dispelled, since we know that the democratic forces have been subjugated but not annihilated.

THE International Association of Machinists have chosen a good time to secure an eight-hour day throughout New England. The war orders from Europe have created an enormous demand for their labor, and the public is largely with them, because it feels that the great profits on these orders should not be monopolized by the manufacturers, but should be divided with employees. It is better that this division should take the form of reduced hours, which would be of permanent benefit, rather than that of a bonus system or profit-sharing plan. The work of the machinists is arduous and intense, it demands skill and concentration. In the past machinists have not been able to secure a lessening of their work-day because the opposed employers were strong, and an increasingly minute division of labor shortened the period of learning the trade and filled the industry with a surplus of workers. If the machinists can utilize the present prosperity of the trade to establish the eight-

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hour day, they will merely be securing what they have long desired.

AUGUSTUS THOMAS has thought out an extraordinarily sensible plan for teaching such parts of the playwright's business as can be taught. It was suggested to him by an experiment he made last winter, when he went to Harvard and collaborated with the students in Professor Baker's course. "We proceeded," says Mr. Thomas, "on the assumption that a definite order had been received from a manager for a play. Then the class addressed itself to the task, decided upon the actor or actress for whom the play was to be written, started with either a suggestion or an idea, and built a working scenario leading from that idea. The experiment was successful, and in two morning sessions of three hours each Professor Baker's class of thirty-five produced what can be recorded as an excellent story for a play. The story was left in the custody of the class, which was to appoint a small committee for its elaboration into a proper play." What Mr. Thomas did for these Harvard students he is willing to do for small groups of newspaper men in the principal cities. He chooses newspaper men because he thinks it is among them that "the potential dramatist" is most likely to be found. His hope is not that this collaboration would turn out successful plays, but that it would help beginners. He believes other professional dramatists would be glad to coöperate. So do we.

Executive Leadership

DURING the next few weeks a fight will be taking place in the Constitutional Convention at Albany of critical and far more than local importance. Upon its issue will depend not merely the future financial solvency of New York State, but the moral credit and vitality of the American local democracies. We mean the fight made for and against the proposal submitted by the Committee on State Finances to transfer the functions of budget-making from the legislature and its committees to the Governor and his administrative staff. The peculiar importance of the proposal consists in the fundamental change which its adoption would effect in the representative system of the state. It constitutes a preliminary and far-reaching step in the task of erecting the Governor into an official state political leader, who, as the representative of the preponderant element in public opinion, is made responsible for giving direction to state governmental policy and efficiency to its methods.

The larger meaning of such a reform has been lucidly and completely explained by a recent publication of the Bureau of Municipal Research. The Bureau has been making an investigation into the causes of the inefficiency and the extravagance of the state government, the results of which are embodied in a very remarkable report. Its exceptional value consists in the combination of a careful and exhaustive analysis of the technical apparatus of state government in New York with a large vision of the needs of a democratic representative system. It associates sound political ideas with a huge amount of valuable detailed analysis and an equally generous supply of concrete remedies. That a bureau dedicated primarily to the exposure of financial extravagance in local government should have issued such a report is an encouraging and suggestive fact. An investigation of the technique and the results of municipal administration has resulted by a series of perfectly logical steps in a proposal to reorganize in the most fundamental way the structure of an American state government.

According to the Bureau's report, American state government was bound to break down just in proportion as it was asked to do any positive work. It embodied a negative principle. Our forbears wanted a government which was powerless to do harm. To attain that end it divided the government into three parts, and then proceeded to divide each of the three parts into many additional pieces. The chief function of each of these governmental fragments was that of preventing some other fragment from going astray. The Governor was required to censor the legislature; the legislature was encouraged to curb the executive by all kinds of specific regulations; the courts were to protect the people against administrative and legislative abuses; the legislature was to prevent the courts from becoming objectionable by determining their procedure; and finally the Constitution safeguarded the whole body politic from vagrancy by imposing righteous methods of behavior alike on the administration, the legislature, and the judiciary. It was distrust, espionage, irresponsibility and distraction erected into a system.

The resulting mechanism, after several generations of elaboration, became so unmanageable and so utterly devoid not only of movement in any direction but of mere coherence, that an unofficial remedy was found. The party "bosses," representing the one efficient organization of public opinion in the state, were developed partly for the purpose of pulling the distracted system together. Their spontaneous development indicates the direction in which state political reorganization ought to travel. Official, responsible and responsive leadership must be substituted for the deliberate chaos of

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the present system. An official leadership which will introduce order and integrity into the chaos will at the same time destroy the corrupt unofficial despotism which has been holding the chaos in its clutches. The Bureau consequently proposes "a fundamental readjustment of the relations between the legislature and the Governor on the one hand, and the Governor and the administrative officers on the other, by making such changes as will assure responsiveness and responsibility in the government as a whole, constant and informed criticism within and without, official leadership in the formulation of policies, and the concentration of public opinions at elections on work of the government already done or work proposed for the future."

The obvious objection to such a plan of state political reorganization is the apparently enormous increase of power bestowed upon the man who happened to be elected executive. It has been compared to a kind of democratic Napoleonism. The objection has very little weight. Any increase of power bestowed upon the Governor is balanced by an increase of control. At present the legislature exercises no effective check upon the administration, because, as Professor Ford luminously points out in another column, it is itself too much a part of the administration. It is frequently responsible for the appointment of administrative officials, and it is always responsible for the budget which determines their actions. It will be more disposed to criticize, and its criticism will count very much more with the administration, in case it becomes exclusively a discussing and controlling rather than an originating and acting body. By reducing items in the budget, by refusing to pass bills which originate with the Governor, and by scrutinizing ruthlessly all the policies and the performances of the administration, it will exercise much more thorough supervision over executive action than it has done heretofore. The Governor could not ordinarily carry on the business of the state unless he found some means of accommodating his policies to the views of a legislative majority. As President Lowell of Harvard pointed out many years ago, the tendency of giving the initiative in legislation to the executive and requiring him to advocate his proposals in a legislative assembly would not be to make the executive dominant, but to create a modified form of parliamentary government. A legislative majority would be so necessary to the Governor that in order to get and keep it he might become solely a creature of the legislature and ignore his primary responsibility to his popular constituency.

So far as there is any danger of such a result, there is a perfectly practical method of avoiding it. The electorate could be required to decide upon the merits of a dispute between the Governor and the legislature. The Governor could be empowered to refer a bill introduced by him and rejected by the legislature to popular vote. Or he could, as the Bureau of Municipal Research suggests, be empowered to dissolve the legislature and order a new election, one at which he as well as the legislature would have to secure a renewal of popular confidence. The two methods are not mutually exclusive, and a Governor might be permitted to use either one or the other, according to the importance of the controversy with the legislature. What is important is that both the Governor and the legislature should feel their responsibility to the electorate, and that the electorate possess the same effective ultimate control over the government as a whole that the legislature has over the executive.

If the business of the state can be more efficiently and economically transacted by making the Governor the official political leader, the change will be sufficiently justified, but in our opinion the strongest argument in favor of such a plan looks in a different direction. The most important business of any democratic community is that of drawing a dividend in popular experience out of its political experimentation. Our existing system has been so incoherent and inept that it has left the disinterested public opinion of the state distracted and unillumined. The voters learned nothing from legislative or administrative action, because the political behavior of the state was trivial, purposeless and confused. It invited inattention and misunderstanding. It paralyzed liberal popular impulses and movements. It damaged the roots of vigorous and wholesome democracy by making the vote cheap and ineffective. Like every other political act prompted by the old system, the vote came to have only a destructive value. It was used to promote positive private interests, but only negative public interests. As there was nothing of importance to vote for, the citizen used his franchise chiefly to vote down men and measures. The peculiar advantage of the new system proposed by the Bureau of Municipal Research is that it will increase the value and the interest of its own government in the eyes of the New York electorate. A political system framed to accomplish positive policies will encourage in the minds of the voters the fruition of positive political convictions. It will encourage the development of leaders capable of formulating, discriminating and realizing these popular political convictions. The state government will appeal to the imaginations of the voters as peculiarly and expressly a government of the people—one which not merely reflects but enhances popular preferences and convictions.

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If Russia Makes Peace

IT is with a grand gesture of abnegation that Petrograd announces that Germany has offered a special peace to Russia and that Russia has indignantly refused. We do not know whether the report is true, though we confidently expect it to be denied. There is so much flourish and protestation in the Russian accounts, however, that we wonder whether certain groups in Petrograd might not dearly love to be placed in temptation. As for Berlin, it is an open secret that many conservatives there desire peace with Russia, and even certain liberals believe that such a treaty would be the best way out of the iron ring of Germany's enemies. There are men on both sides of the military lines who would welcome an *entente,* or even a defensive and offensive alliance.

The significance of the news lies not in what is, but in what might be. There was and is no real cultural bond between France and Russia, or between England and Russia, and except for historical accidents Russia to-day might stand with Germany against her present allies. Her ruling classes are far more in sympathy with those of Prussia than with those of Britain or France, and dynastic considerations point to an agreement with Germany. True, the road to Constantinople lies over Vienna and Berlin, but there are other outlets besides the Dardanelles, and Russia to-day, especially if her army should be trapped, may be modest in her ambitions. In any case, while not probable, it is not entirely impossible that Russia, and Japan as well, may one day swing over from the side of the Western Allies to that of the confederated Teutonic empires. It would be a change world-shaking and spectacular, but not unprecedented. It was by Russia's equally sudden change of front in 1762 that Frederick the Great was saved. All that would be necessary to bring about such a coalition of Eastern and Central Powers would be a certain working up of public opinion in the several countries. Thereafter a quiet conference held between a Russian, a German and a Japanese gentleman in Copenhagen or Stockholm might eventuate in an alliance like that which in the eighteenth century undertook the task of partitioning Poland.

The analogy with Poland is perhaps illuminating. In Frederick's time, Prussia, Austria and Russia, though crammed with mutual enmities, were able to agree upon a policy of spoliation from which all might gain. We forget that in the twentieth century also nations may be united by the hope of plunder. Nor did Poland ever represent to its three neighbors the splendid prize that a dismembered British Empire would offer to Germany, Austria, Russia and Japan. Persia and the right to conquer India might be tendered to Russia; to Japan, Hong Kong, Australia, New Zealand and whatever else was worth taking in the Indian or Pacific Ocean. For Germany and Austria there would remain Serbia, perhaps Salonica, perhaps Constantinople, Asia Minor and Egypt. To capture Suez, say the Germans, is to break the neck of Greater Britain. With Russia on their side; with victory, military or diplomatic, over France; with a naval base at Calais, and money, men and time with which to outbuild the English navy, the Germans might well feel that they had Great Britain down. Against such a coalition the Western Powers would be weak, for Russia has the men and the natural resources, and Germany has the brains and the organizing skill; and an economic unit that would stretch from Antwerp to Vladivostock and from Archangel to the Mediterranean would be entirely independent of the rest of the world. It would be a union of states more formidable while it lasted than any that has existed in a thousand years.

Doubtless this is all a very bad dream. Yet it is not more strange than many things that have come to pass, not more strange than the vertiginous rise of modern Japan, or that curious *mésalliance* of Russia and France without which Germany would easily have conquered. It is a dream which inspires very many reactionaries in Germany. In that country there are bold leaders who would make it worth Russia's while to enter into an alliance. They would surrender Austrian territory, or hand over to Russia a great portion of the British Empire to conquer. To such leaders, who know more of martial evolutions than of the workings of men's minds, especially if those men be foreigners, a crushing defeat of Russia in Poland might seem to mark a supremely opportune hour in which to further such an alliance. But Russia, too, has her pride and her dynastic necessity for victory, and if she is to ally herself with Germany, Russians whose sons and brothers have been killed by German shells will want to know why. To-day an alliance between Germany and Russia would be like that famous alliance between the rider and his horse. If Russia in her retreat is dismantling Warsaw and laying waste the country in the path of the invading enemy, it proves that she is in no mood to acknowledge herself beaten and switch to the side of the victor.

We end with the belief that no such arrangement is probable. And yet if we admit that it is even remotely possible, we must recognize how small is the foothold of our ordinary hopes, how precarious is all our customary confidence. It is absurd to compare America with Belgium, for we have immense resources, and the ocean, though narrower than it once was, is still a barrier. But our isolation is gone forever; we are part of Europe, and can no longer

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be indifferent to the alignment of the nations and to the constitution of the world. If ever a new coalition of strong and politically reactionary powers should arise, it would mean a menace to us as clearly as to the democratic nations of Western Europe. In the midst of our peaceful social development we might suddenly awaken to the fact that the world had been changed over night, and that the dream was no longer this new Holy Alliance of reactionary powers, but our own pious plans of progress, which would need to be deferred for decades.

Floored

THE sovereign citizen ought to be a very busy person these days. He has been told on all sides that he alone can remedy the inconceivable horror into which the world has fallen. He has been told to beware of diplomats, journalists and international lawyers, of labor agitators, social reformers and politicians, of experts, theorists and professors. But before any one of us as a citizen can exercise his sovereignty he has to read the newspapers. He has to find out what is the matter, and what to be sovereign about. For the business of reading newspapers there is breakfast time plus the gracious delays which all suburban railroads and congested street cars supply in order that the newspapers shall be read before the sordid task of making a living can begin.

Whoever reads the newspapers with care comes away with indigestion. The war in Europe, the war in Mexico, the war in Haiti, strikes in scores of places, the Shipping bill, German-Americans, Theodore Roosevelt, George Perkins, national defense, missing bank clerk—was there a woman in the case?—Warden Osborne, the British note, the German notes, Becker, Thaw, the Eastland, will Greece cede Kavala to Bulgaria, where is Kavala, why are the English holding so short a line, what will the Germans do next, are we going to have war with Germany: on each of these subjects we have to have a true and honest opinion, and we have to form it in a precious hurry.

It is, of course, a sheer impossibility, and we all shirk it. But the avalanche of news during the last year has taken its toll. We know vaguely that never before was there such desperate need for lucid and imaginative thought, for ideas with edge and force. We have literally to change the whole historic policy of our nation and enter a sphere of action infinitely complicated and persistently dangerous.

In most of us there is an undercurrent of uncertainty which we never knew before, an apprehension which stirs us vaguely and darkly. The magnitude of the task seems to have stunned our thinking, to have lowered the vital tone of our minds. We run to brooding over military events and neglect the intellectual labor of adjusting ourselves to the events before us. One example will suffice. We have seen the price England is paying for her industrial mistakes; we have seen the folly of her class-ruled industry compounded on the battlefields of Europe; we have witnessed the agony of a nation spiritually unprepared for modern coöperation. And, having seen it, we have done no single thing to remedy the identical diseases in America. We drift as if nothing had happened, as if nothing were to be learned.

The bitter fact is that our education is too poor, our leisure too short, our work too crowded, for any serious grappling with the questions which every day's newspaper sets before us. The meat is too strong for our unexercised digestions. Our boast that public opinion governs the world sounds like vacant mockery. Public opinion is created out of the opinions of newspaper readers, and those readers have not the teeth to make even a dent upon the tough issues of our time.

We teeter on the edge of war with Germany, a war which would change our whole future. And almost nowhere in the press, almost nowhere in common talk, is there any indication of thought about the nature, the possibilities, the strategy, or the diplomacy of such a war. We forget the problem whenever five days pass without an attack on a decently sized ship. The lethargy of the American mind is frightening. A new constitution for nine million people is being created at Albany; it is a lucky chance if the proceedings are mentioned in the newspapers. Our capacity for attention seems to be exhausted; we are reservoirs of fact, full to overflowing; we can take on no more.

Explanations are possible enough. We could not be prepared for any such calamity as that which disturbs the world. True. But behind that unpreparedness lies an archaic and stingy educational system, a grinding and wasteful system of industry, a neglect of those arts and sciences which steady the mind and recreate it from day to day. Our jerry-built cities, our soot, the cracked paint of our houses, the dusty carelessness of city life, its flaring second-hand amusements, are the setting in which people lose the vitality to deal with those problems which they dare not fail to solve. The helplessness of our discussion is the natural result of years of unventilated, unirrigated haste. It is the price of our distrust of thought, of theory, of realism, of intellectual integrity. How can we deal with the labor problem now when we have always left it to the cranks? How can we deal with the international problem when we have lived in isolated indifference?

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Doesn't it follow that these problems will either not be solved at all, or that they will be solved over our heads and without our consent? Surely it is tragic to talk of the voice of democracy when the democracy is uninformed and prostrate before its tasks.

Popular Discussion

WE have before us a pamphlet entitled "The Anti-Prohibitionist's Manual," which purports to be a summary of facts and figures dealing with prohibition. In one sense and in only one it is an honest book, for it does not pretend to emanate from the Iowa Association of Sunday School Superintendents or the American League of Truth Seekers, but openly states that it is published by the National Wholesale Liquor Dealers' Association of America. It is not anonymous. It is a defense of men who have invested their money in the liquor business against all attacks upon their interests.

The proof of a gun is the shooting thereof, and the authors of this particular firearm have taken care that it shall go off. A few paragraphs instruct "When and How to Use this Book." It is to be studied most sedulously, so that when the prohibitionist appears, armed with his "Anti-Saloon Year Book," the reader of the "Anti-Prohibitionist's Manual" may be primed with facts. "Nail the prohibitionist down to facts," says the Manual, "and make him prove what he says."

When we analyze these facts, and the arguments that here adorn them, we wonder whether after all reason is a human faculty. In this windy propaganda and counter-propaganda, whatever seems to help out the case is truth and whatever helps the opponent is fallacy. A fact is not an event, quality or relation, but a mere irrelevant anything needed to fill up a gap in the thought. It is all an intellectual sideshow, in which we are invited to place our eye to the peephole and look through upon the great world of reality. But truth as one sees her through this peephole is limp and pale.

Statistics are scattered like sugar over strawberries, and these statistics are fearfully compiled and wonderfully selected. There are miles of them, mountains of them; for the author seems to believe that one statistic is quite as good as another, so long as it is on his side of the argument. In fact the whole book is a pseudo-statistical homily against prohibition, an inverted "Ten Nights in a Barroom" in statistical form.

Let us try to reconstruct the scene of this argument, as the stage detective would say. In the first place, prohibition would mean an enormous loss of revenue to the national, state and local governments, which deficit the reader in his capacity as taxpayer would have to make up. But the book does not seem to realize that the reader is already paying these taxes every time he takes a drink, to say nothing of the cost of producing and serving the liquor, and the profits out of which wholesale liquor dealers contrive to issue edifying pamphlets.

Again, prohibition kills. Life somehow is preserved in alcohol, and it is the intemperately abstemious, like the good, who die young. "Our death rate as a nation," the Manual maintains, "is lower than any other nation of equal importance as a world power." In other words, "the temperate and general use of wine, beer and whiskey is productive of longevity." In the "wet" states and cities there are fewer deaths per thousand of the population than in localities living under prohibition laws. "Wet" New York has a low death rate, whereas "dry" Memphis, despite its negro population, has a large death rate. Prohibition also makes for insanity and crime. Wherever men may drink freely there is the least insanity. It is prohibition that drives to madness as it drives to pauperism. Moreover, nothing so breaks up a home as the inability to get drink on all occasions. In Kansas, which is "dry," the annual divorce rate is 286 per 100,000, whereas in idyllic and "wet" North Carolina it is only 75 per 100,000.

The more one reads this Manual the more evident it becomes that drink is an antidote to crime, while prohibition means the decay of all the virtues. Men who live in prohibition states are likely to be cruel to their wives; otherwise Kansas would not have a worse record for divorces granted on the ground of cruelty than Alabama, Florida and Virginia, all "wet" states. In the "wet" states also there is better church attendance and less juvenile delinquency. The shutting of the saloon puts the deadly revolver and the murderous dirk into the hands of criminals. Saloon-less Kansas has more homicides in proportion to population than has free and easy New Mexico or freer and easier New York. The true seminary of virtue is in front of the bar above the sawdust and the spittle. So long as saloons are closed, men will murder, beat their wives, drive their children to crime, fall into pauperism, become insane, stay away from church, and fail to put their weekly wages into savings banks. Prohibition destroys the saving habit; Kansas has a smaller proportion of savings bank depositors than has Louisiana, Alabama, Kentucky or Wyoming. Even in Nevada, even in Arizona, where drink flows like water, men reel from the saloon to the savings bank, whereas in Kansas a blight falls upon the wretched pennies filched from the bar-keeper, and the ill-saved money mysteriously disappears. There can be no true advance in morality, in sanity, in sense of family obligation, in attendance upon divine service, or in the quaint though unpicturesque

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habit of saving, without an unlimited expenditure of money and time in the saloons of the nation.

But this little book is not merely statistical. Occasionally it declines into poetry or soars high to anecdote. It is at times satirical. President Thompson of Ohio State University is quoted as saying that overeating will shorten life, whereupon the Manual slyly suggests that some one will now advocate a "total prohibition of food stuffs." And here is "glory" for you; here is a nice knock-down argument. "Is it not strange," asks the Manual, "that wet England produced a Shakespeare, wet Germany a Schiller and a Bismarck, wet America a Jefferson, a Washington, and a Lincoln, while prohibition Turkey never produced a single great man in all the centuries since Mahommed!" Poor Turkey is held in very low esteem. "The beer-drinking Bulgars were more than a match for the dry Turks." "The prohibition Turks trail at the tail-end of civilization." As for the great spirits of the ages, how can we think of them in a chill dilution of ice water? "All the giants of intellect," Gladstone, Asquith, Bunyan, Socrates, and Henry Clay were drinkers, even though some of them drank temperately. Washington and Jefferson, it seems, owned distilleries, and Abraham Lincoln, the emancipator of a race, ran a tavern in Salem.

This is the sort of argument which the Liquor Dealers' Association gives out its good money to print in order to "nail the prohibitionist down." This is the sort of intellectual food which men who may be presumed to know consider as palatable and nutritious to the mass of voters. At first glance one wonders how any sane person could pay out good money to publish the news that Socrates drank, and the beer-drinking Bulgarians smote the dry Turks. But is this tissue of nonsense and falsehood more transparent than are the campaign books which make our presidential contests so superlatively educational? Is it more stupid or vapid than half the contents of our magazines and newspapers, or the lazy, hazy, oral argument which we call public discussion?

It means much that a problem like that of prohibition is settled by public discussion, and not by bribery or force. Such discussion means a social advance. It presupposes a certain equality among people as well as an intellectual connection and a community of mind. You cannot discuss the "real presence" with the Pope, nor the doctrine of divine right with the Emperor of Germany. You must be in touch with the man with whom you discuss, so closely in touch that he can hear your voice or read your message. You and he must speak the same language, share the same basic convictions, be swayed by the same prejudices. Discussion is strife. It is an abrasion of minds, a means by which great social conflicts are hurried to an issue—a struggle which takes the place of the actual physical encounter that we call war. However infra-rational some of our public discussion is, it is much better than arguing across a line of bayonets. We might to-day see armed men defending the saloon against other soldiers fighting for prohibition; and in real battles men might have their heads blown off or their throats cut in order to be saved from a drunkard's death. Any discussion, however absurd or however inconclusive, is better and in the end more convincing than a resort to violence.

Yet though we admit this, we must realize that this sort of propaganda shows that we are still at the very beginning of a great problem which grows more serious every decade. That problem is the development of public opinion through popular discussion. We cannot advance towards democracy unless an intelligent and insistent public will stand back of our common decisions, and unless those decisions are suitable and wise. To-day we allow public opinion to grow up like a slum child, untended, disregarded, the victim of every money-seeking adventurer. We permit it to be turned against itself, to be misled with false news, published for profit. What we need is not censorship or suppression, but a positive antidote, an anti-body against falsehood and stupidity. We need some means of educating the adult mind, perhaps some Public Defender of the truth. It does no harm if the liquor dealers assail the personal habits of Socrates or the homicidal tendencies of Kansas, but it is a symptom of mental retardation that it should still be thought remunerative to print such stuff. The problem in this country is to develop through popular discussion a steady, sane, tolerant, self-reliant public opinion, organized nationally, yet free from jingoism, and above the level of mere mob-mind.

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Is the British Embargo Lawful?

IT is the purpose of the British note of July 24th to bring the British embargo upon neutral commerce with the German Empire within the concept of blockade as that is recognized and defined by international law. The British position is sufficiently indicated in the following sentence: "It seems, accordingly, that if it be recognized that a blockade is in certain cases the appropriate method of intercepting the trade of an enemy country, and if the blockade can only become effective by extending it to enemy commerce passing through neutral ports, such an extension is defensible and in accordance with principles which have met with general acceptance." Other passages of the note make it clear that the "principles" thus referred to comprise more especially the doctrine of continuous voyage as it was applied by the United States Supreme Court in the well known case of the Springbok.

This contention and the support in authority invoked for it are calculated to provoke discussion, not merely of the proper limitations of blockade, but of the nature and sources of international law itself. Sir Edward Grey admits that the weight of learned opinion was in 1873 strongly adverse to the correctness of the decision in the Springbok case, and a further measure of candor would have extended the admission to more recent opinion. Yet because the British government ultimately waived protest against the decision, Sir Edward seems to think that its legality must to-day be conceded by the United States. It cannot be admitted that international law is thus made. No doubt, for the purpose of a particular dispute, the parties to it can waive their rights under international law, but the fabric of the law itself is not therefore altered. And by the same sign it cannot be admitted that the United States is to-day bound as a neutral by its previous conduct as a belligerent, nor yet by the acquiescence of the British government in that conduct, unless it was in fact conduct conforming to law. Rights are not thus forfeited in municipal law, and there is no apparent reason why they should be in international law; and the idea that one who had committed a tort at private law should be exposed on that account to like trespasses by others would meet with ridicule.

But does the doctrine of the Springbok case lend any real support to the British Orders-in-Council establishing an embargo upon commerce passing to and from Germany through neutral ports? The answer must be an unqualified negative: self-confessedly an effort to press the belligerent interest to the utmost limit, this adjudication yet affords no basis for the outstanding features of the British embargo. In the Springbok case goods consigned ostensibly to British West Indian ports were seized before they reached their immediate destination, and confiscated on the ground that their ultimate destination was certain blockaded ports of the South. In other words, the goods in question suffered the penalty ordinarily imposed under the British-American view of blockade upon goods and vessels shown to be intending the infraction of a regularly established blockade: that, and nothing more. But the British Orders-in-Council purport to authorize the interception of cargoes destined to pass through the unblockaded ports of neutrals, over a land frontier also unblockaded, into the interior of the enemy country. The goods are intercepted not because their passage constitutes an infraction of an existing blockade—an act penalized by international law—but because it renders less efficacious a blockade elsewhere established of enemy ports, an entirely innocent act under international law. But Sir Edward Grey writes: "By means of a blockade a belligerent is entitled to cut off, by effective means, the sea-borne commerce of his enemy." Yes, if the "effective means" are proper incidents of a proper blockade; otherwise, no. And Sir Edward himself acknowledges that there can be no blockade of neutral ports.

Unfortunately for Sir Edward, the admission, though clearly unavoidable, plants the bare bodkin in the heart of his whole contention. Let us suppose Rotterdam, for instance, to be a German port. Let us further suppose England to be desirous of leaving Rotterdam unblockaded. Could she none the less assume to intercept goods passing to and from Rotterdam on the plea that it was necessary to do so in order to make more stringent her blockade of other German ports? Obviously not, if the Declaration of Paris means anything. By what legerdemain, then, is a stoppage of goods made valid in the case of neutral ports, neither under blockade nor legally subject to it, which would be invalid if the same ports were unblockaded and hostile?

But what of Sir Edward's invocation of the doctrine of continuous voyage? It is irrelevant, for clearly in order that a doctrine be relevant it is first requisite that that to which it applies exist. In the case of the doctrine of continuous voyage, this is a voyage on the high seas apparently broken into two parts, but actually comprising one continuous voyage. The purpose of the doctrine in connection

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with blockade is to justify a seizure during the first part of the voyage which would be legal if made during the second part. But a belligerent seizure of neutral goods while in transit through neutral territory is unallowable. Nor can such act of transit through the territory of a neutral state be considered a voyage in any sense of the term. In a word, blockade has to do with the coasts, ports, and waters of the enemy, and those only; and the continuous voyage which it may interrupt is a voyage directed in fact to such coast, ports and waters when they are effectively blockaded.

It is equally clear that a belligerent cannot, save in the single instance mentioned below, seize goods of alleged hostile origin when passing from neutral ports to a neutral. It could not ordinarily do so at all under the British-American rule as to the ownership of such goods, even if the Declaration of Paris were to be superseded once more by the ancient British rule of "spare your friends and harm your enemies." It can do so under no rule as to their ownership, under that Declaration, except in the single case of their being encountered on the high seas under the enemy's flag.

One question remains, that of the regularity of the British embargo upon trade with Germany through the Baltic. If the Baltic be regarded as an international highway, such an embargo is clearly unallowable. On the other hand, if the embargo be treated simply as an expeditious way of blockading the German Baltic ports it is still unallowable, since it does not exclude Scandinavian traders from these ports; and by international law a blockade must operate impartially upon the commerce of all states, including even that of the blockading state.

It is interesting to recall that the British government had at first no idea of defending its embargo policy as conformable with international law. The defense officially made of it was that voiced by Mr. Balfour among others, who, urging the reciprocal nature of international law, contended that her enemy's illegal courses had released Great Britain in a measure from the necessity of heeding the law of nations. From the standpoint of neutral rights this is no defense at all. As President Wilson phrased it in the recent note to Germany: "A belligerent act of retaliation is *per se* an act beyond the law, and the defense of an act as retaliatory is an admission that it is illegal."

EDWARD S. CORWIN.

The Bayonne Strike

THE Standard Oil Company of New Jersey maintains a settled policy of refusing to deal with any "professional labor man or other outsider." At its great Bayonne refinery, where five thousand men are employed in one of the most profitable enterprises in the country, it maintains "almost navy yard discipline." There is no machinery for collective bargaining or the easy adjustment of grievance. The quoted phrases are those of Mr. Gifford, its general manager. He justifies this undemocratic régime on the ground that the workmen are unable to speak English, and of a class requiring firm treatment, and that large quantities of highly inflammable and explosive liquids are stored at the plant. Until the recent strike the company paid its common laborers at the rate of $1.75 for nine hours' work. Five hundred of the labor force work in shifts of ten hours during the day and fourteen hours during the night, the men changing shifts once a week and receiving twenty-four hours' rest each seven days.

Adjoining the Standard Oil Company's plant is that of the International Nickel Company, whose product is converted copper and nickel. It employs thirteen hundred men. Until recently it paid its common laborers at the rate of $1.80 for nine hours' work. About July 1st its employees asked for an increase in wages. To aid them in negotiating with the company they employed Paul C. Supinsky, a Polish lawyer, with offices in Bayonne and Jersey City. Superintendent Stanley met Mr. Supinsky, and after some discussion agreed to an increase of ten per cent. There was no strike. Employees at the Standard plant learned that common laborers at the adjoining plant were receiving 22 cents an hour. Both companies were operating their plants at capacity and exporting heavily to Europe. There seemed no good reason why the Standard Oil Company should pay 19 4/9 cents an hour for the same sort of work that brought International Nickel Company employees 22 cents.

The dissatisfaction first found expression among the still cleaners, a body of one hundred men whose function is to enter the stills soon after they have been emptied and scrape from the interior walls the tarry substance left from the distilling process. The still cleaners were paid on a piece rate basis, and earned from $2.30 to $2.70 a day. They work in the stills at temperatures ranging from 200 to 300 degrees. To protect their bodies from the intense heat they wear several layers of thick clothing and swathe their faces with cloths. During a

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shift of seven hours they drink from ten to fourteen quarts of coffee each, to stimulate perspiration the better to withstand the intense heat.

Although the International Nickel Company employs no still cleaners, its operations involve other arduous work, for which proportionate increases had been granted. The still cleaners at the Standard plant decided to apply to the management for a similar increase, and for the discharge of a foreman regarded as insulting and arbitrary.

They accordingly held a meeting and decided to engage Supinsky to draw up their demands. These included a fifteen per cent increase in pay and the discharge of the foreman, an answer to be given within twenty-four hours. The written demands were presented to Superintendent Hennessy by a committee of six. Supinsky accompanied the committee when it presented its demands. Superintendent Hennessy refused to consider the demands, and denounced the committee's chairman for engaging an outside agent. Members of the committee assert they were peremptorily discharged. This is denied by Superintendent Hennessy. The committeemen were allowed to return to work when the strike was adjusted two weeks later. Superintendent Hennessy, after rebuffing the committee, issued a statement warning the employees against "outside agitators" and announcing the company's refusal to deal with any outsider. The strike then quickly developed.

No serious disorder occurred until July 20th, nearly a week after the strike began. On that date the city police responded to the demand of the company that the strikers be prohibited from congregating on streets leading to the plant, and serious rioting followed the effort of the police to drive strikers from the public thoroughfares. Thomas Carney, an employee who had refused to join in the strike, was hit with a brick thrown by a striker and so seriously injured that several days later he died. On the following day a boy of nineteen was killed by a policeman's bullet. This enraged the strikers. On the same afternoon the Standard Oil Company began the importation of five hundred armed guards, supplied by Berghoff Bros. & Waddell, a detective and strike-breaking agency in New York City. Neither before this time nor later was there any serious disorder at the plant of the Standard company.

The bringing in of armed guards was a precautionary measure. The guards were recruited in New York through newspaper advertisements and from among men whose names were registered at the offices of the agency. After the strike, when one hundred and thirty of these guards were arrested, Mr. Berghoff, secretary of the company, admitted that he did not know many of them, as he had been forced to act hurriedly, and that he was unwilling to put up bail to insure their appearance in court. His attorney referred to them as "a lot of thugs," and urged the county authorities to discharge them without requiring bail.

By Thursday, July 21st, the strike had spread to the plant of the Tidewater Oil Company, adjoining that of the Standard. The Standard Oil Company owns "not more than fifteen per cent" of the stock of the Tidewater Company and has a representative on the board of directors. It also transports oil for the Tidewater Company from the Oklahoma field to the western terminus of the Tidewater's pipe line near St. Louis. The Tidewater plant occupied a more exposed situation in relation to the strikers' homes and gathering places. On Thursday morning its management borrowed a force of armed guards from the Standard plant to supplement its own force, composed of non-striking employees armed with rifles. Enraged by the killing of a boy on the preceding day, the strikers gathered in large numbers and threw stones and bricks over the walls and through the gates of the plant. The guards replied with rifle fire. Some of the strikers then bought cheap revolvers and returned the fire. Two strikers were killed and two fatally wounded in the unequal skirmish that followed.

Sheriff Kinkead of Hudson county arrived Thursday afternoon and began the spectacular campaign of coercion and persuasion by which he finally succeeded in breaking the strike and inducing the men to return to work. He arrested and assaulted J. J. Baly, a young Socialist from Elizabeth, whom the Sheriff himself had selected from among the strikers as one of a committee to negotiate with him and the company. Baly represented himself as a Standard Oil Company employee, and the Sheriff's assault on him followed an exposure of the fact that he had never worked in any of the Bayonne plants. This assault was unprovoked, and was admittedly for the purpose of overawing the strikers. The New York *Call,* a Socialist daily, was barred from Bayonne. To gain the strikers' confidence the Sheriff arrested thirty of the armed guards at the Tidewater plant, and followed this, after the strike was ended, by the arrest of one hundred more. He promised the strikers to urge the companies to grant an increase, and procured from the Standard Oil Company's superintendent a written promise that he would recommend an increase, the amount of which was not stated, if the men would first return to work.

After much difficulty Sheriff Kinkead induced the strikers to return. The Sheriff's motive was not only to end the strike and prevent further disorder, but admittedly also to increase his political strength. In this he succeeded, becoming a popular hero and gaining much prestige by his picturesque meth-

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ods and physical courage. His course had the cordial approval of the Standard Oil Company, which was enabled to maintain its refusal to make any concession until the men had returned to work and thus to maintain its settled policy of resisting the duress of collective action by its employees.

A few days after the men had returned to work the Tidewater Oil Company announced an increase of fifteen per cent for common laborers and other increases for the more skilled workers or those engaged in more arduous labor. The Standard Oil Company followed this with a ten per cent increase* for common laborers, an increase of slightly less than thirteen per cent for the still cleaners and other increases in proportion. It also transferred the still cleaners' foreman to another department, but did not discharge him.

The facts of the Bayonne situation contradict the statement of the Standard Oil Company, issued from 26 Broadway, that it pays the prevailing rate of wages or better. Not only the International Nickel Company but the Pacific Coast Borax Company, whose plant also adjoins that of the Standard Oil Company, paid more for common labor than did the Standard, and do to-day.

Members of the strikers' committee assert that they never have felt free to approach the superintendent or other higher executive officials with grievances or petitions, believing that to do so would be to court certain discharge. Even had they felt free to voice complaints, effective expression and negotiation would be prevented by the inability of the men to speak English clearly and with self-confidence. The policy of the company in refusing to meet the men because they had employed an English-speaking lawyer must be judged in the light of these facts.

A statement by Mr. Gifford, general manager of the Standard Oil Company of New Jersey, made in connection with the Bayonne strike, is significant. Discussing the company's policy as to wages, he said that the company did not pay a uniform rate for the same sort of labor in every community. The interests of other companies operating plants in the same community were considered, he said. Thus in Parkersburg, West Virginia, and in Baltimore, the company paid less than it did in New Jersey. Does not this regard for other manufacturers mean that the standard of wages is to be set by the poorest and meanest?

The facts as here set forth are as stated in a report by agents of the United States Commission on Industrial Relations on file at the Commission's headquarters. X.

* Since this was written the Company has announced an increase of rate for common labor to 22 cents an hour or $1.98 for nine hours.

An Arbitrated Strike

A LARGE number of people are clear that the arbitration of strikes is admirable in principle. Arbitration, however, requires arbitrators. And as to the difficulty of securing impartial and expert arbitrators the majority are not so clear.

A fine enthusiasm for arbitration exists in the city of Chicago, yet there is no place, to my knowledge, where that principle in application has aroused more strenuous hate. It is a city where the "impartial arbitrator" always lands in the seventh hell.

Take, for example, the two recent arbitrations in the case of the street-car employees. They illustrate as if by design. In both cases there were three men on the board—one impartial member, one representative of the companies, one representative of the men. In both cases the fight to procure an impartial member was of a particularly searching kind. Yet in both cases the verdict of the impartial member caused one of the parties to see red.

It was the men, in the first instance, who were angry. The impartial member in 1912 was Judge Orrin N. Carter of the State Supreme Court. Judge Carter joined the companies' representative in signing the majority report, a report which drew fire from the men. "The award of Judge Carter," said the *Union Leader*, "is a grave disappointment. Its reactionary effect upon a principle that seems the sane way of settling industrial disputes is most regrettable. Calmly reviewed from a practical standpoint, Judge Carter's award is a bungling attempt at compromise, in which the traction companies have gained great advantage and the men have lost advanced conditions which they have held for more than thirty years."

In the second instance, July, 1915, it is the companies that are critical. In this instance the impartial member was Mayor Thompson, and Mayor Thompson's partner in the majority report was the representative of the men. It is not the union weekly, naturally, but the *Electric Railway Journal*, that raises its voice to protest. "The Chicago arbitration decision will be a disappointment," mark the words, "to all who believe in the principles of real arbitration. We expressed the hope at the time the arbitrators were selected that the verdict would not be a mere compromise on the questions at issue, but would be based on the merits of the case. But the decision shows," and so on.

To trace the parallel farther is hardly necessary. All that needs to be said is that Judge Scanlan's "splendid minority report" was held to place the men's true situation in the first case, while Attorney Sheean's minority report "fully met the views" of the companies in the second.

An impartial arbitrator, it may be summarized, is

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an arbitrator who decides in your favor. An arbitrator who decides against you is a bungling compromiser, or a mere compromiser, as the case may be.

The vital fight in Chicago was, of course, over the "impartial arbitrator." That is a truth which there is no need to disguise. Neither the companies nor the men wanted a street-car strike in June. Public opinion was dead against it, and it threatened to be a particularly ugly war. But the men's experience of Judge Carter made them sick of the idea of arbitration, and all through the second sweltering night of the suspension of traffic they argued bitterly in the joint conference against the names that the companies proposed. Then, in a taunting spirit, according to men present, the companies flung out the name of the mayor to the departing labor leaders, and before it could be withdrawn the proposal was snatched up.

From the standpoint of the 11,000 unionized employees, the mayor of Chicago was about the only conceivable umpire on whom they or their class could have the least leverage. In the very nature of things, most arbitrators would be identified with the governing order, but here was an arbitrator who depended, in some respect, on the good will of the little people. It was not the "principle" of arbitration that gave the street car men comfort. It was the solid consciousness that their arbitrator knew they had power. The fight had been shifted into the bloodless region of arbitration, but it was still a fight, and they rejoiced that they had a chance to win.

The companies, on the other hand, probably made a necessary concession. And they counted on their attorneys to build up an overwhelming case. In a fight in which both sides are seeking to obscure unfavorable evidence, the odds favor the better equipped side. Had the conflict been conducted legalistically, indeed, the companies would have made a strong showing. And one of their real grievances was that the ingenuous mayor summoned 200 street car men on his own account, quite irregularly, and sought to master the facts at first hand. It was deemed "an unfortunate feature of the arbitration," this sincere amateur sociology of the mayor.

The arbitrators considered three main problems —the problem of wages, the problem of the graded scale, and the problem of working conditions. Their decision in each instance was favorable to the men. They increased wages three cents an hour for the first year of the new contract, and four cents an hour for the second. They reduced the period in which a trainman has to wait for maximum wages from five years to four, and they decreed a special wage for night service after 1915, and a maximum schedule for Sunday of nine hours.

The cost of this concession is roughly estimated at $1,250,000, the gain going to 11,000 employees. One must not forget, however, that the companies do not themselves sustain the entire burden. More than half of it comes out of the city itself. By the ordinance of 1907 the surface lines became obliged to pay the city 55 per cent of the "net profits," and as the increase in wages will automatically decrease the net profits, the companies will actually bear only 45 per cent, or $562,500. Such added expenditure is, of course, unwelcome, especially since receipts have been falling, but the plight of the companies is not serious. In the year 1914 the city and the companies divided net profits to the amount of $4,400,000.

With the savoring of such profits there goes a great fear of added payment to labor. When Mr. Sheean, the companies' representative, realized that his co-arbitrators proposed to grant the men an increase, he actually withdrew from the conference. It would mean bankruptcy, he said. It would throw the companies into the hands of receivers. It would preclude extension or improvement. It would keep the lines from floating their bonds. A picture so horrendous must have staggered Mayor Thompson and Maclay Hoyne, the brother arbitrators; but they persisted in their rashness, and Mr. Sheean returned to pen his morose minority report.

During the arbitration I had an improving talk with an able member of the bar. The most ominous tendency in American labor to-day, he said, is the tendency to exact higher wages. The employer is an Atlas borne to his knees. As a mopper of the brow of Atlas, he could hardly speak of labor with patience; but I gathered that if the arbitrators did increase wages, the worn-out companies would yield under the strain, pulling down in their ruin the carnal and avaricious employees.

This talk alarmed me. Perhaps the strike was a social monstrosity, an impudence for which the men should be dragooned. But a little delving into the wage-receipts restored my balance. The president of the lines testified, it is true, that the highest paid man earned $111.90 in 31 days, but that meant 349.7 working hours, or an average of 11 1-4 hours every day. At the same rate, to earn his own salary, the president would have to work 525 hours a day. The average monthly wage was about $87, the lowest going down to $36. A high proportion of the men are said to be married. And for married men with two children $87 a month leaves no vast margin for sickness and insurance, for dependents and births and deaths, for the necessities and emergencies of decent life.

But the really significant thing was not what the men asked for, but what they failed to request. First and foremost, the trainmen never debated the

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propriety of working seven days each week. All they asked was to have Sunday work restricted to nine hours. Secondly, they did not dream of urging a system of pensions for a lifetime of service. On the contrary, they admitted that seniors should be retired. Thirdly, they took it for granted that there should be an "extra" list, working for less than a living wage, and a working day for the juniors strung over 16 hours. These are the conditions still determined by the availability of new labor—of applicants who cannot make terms, who are glad to buy their own uniforms on the chance that they may earn their bread.

In the old days the companies drove a hard bargain. The men froze in winter, roasted in summer, had to pay for horses that were killed, lost their jobs if the cable were cut, had no allowance for meals or reporting, worked on "swing runs" 18 hours a day. But if these conditions have been bettered, the men are not yet the perfunctory automata that the traction attorneys depict. Street traffic is thicker, running-time is shorter, cars are heavier and more dangerous, the effort is not reduced. I stood next a motorman one day during the arbitration when a child rushed in the path of his car. Only a lightning hand checked it in time, kept its forty tons from mashing the boy to pulp. "If they'd arbitrate this strike on my platform," the motorman said, "they'd learn a few things. The locomotive engineer hasn't any bigger strain."

Some day, perhaps, the men who remember these things will be a power in the management. Until that time the "principle" of arbitration is worth exalting, if both sides are equally free to jockey for the amateur who is likely to preside.

FRANCIS HACKETT.

Clipper-Ships

In Memoriam—Ship W. P. Frye, sunk by converted cruiser Eitel Friedrich, 1915

BEAUTIFUL as a tiered cloud, skysails set and shrouds twanging, she emerges from the surges that keep running away before day on the low Pacific shore. With the roar of the wind blowing half a gale after, she heels and lunges, and buries her bows in the smother, lifting them swiftly and scattering the glistening spray-drops from her jibsails with laughter. Her spars are cracking, her royals are half splitting, her lower stunsail booms are bent aside, like bowstrings ready to loose, and the water is roaring into her scuppers, but she still staggers out under a full press of sail, her upper trucks enkindled by the sun into shafts of rosy flame.

Oh, the anchor is up and the sails they are set, and it's 'way, Rio; round Cape Stiff and up to Boston, ninety days hauling at the ropes: the decks slope and the stays creak as she lurches into it, sending her jib awash at every thrust, and a handful of dust and a thirst to make you weep are all we get for being two years away to sea.

Topgallant stunsail has carried away! Ease the spanker! The anchor is rusted on the deck. Men in short duck trousers, wide-brimmed straw hats, with brown, mahogany faces, pace up and down, spinning the worn-out yarns they told a year ago. Some are coiling rope; some smoke; Chips is picking oakum near the boats. Ten thousand miles away lies their last port. In the rigging climbs a hairy monkey, and a green parakeet screams at the masthead. In the dead calm of a boiling noonday near the line she lifts her spread of shining canvas from heel to truck, from jib o' jib to ringtail, from moonsails to watersails. Men have hung their washing in the stays so she can get more way on her. She ghosts along before an imperceptible breeze, the sails hanging limp in the crosstrees and clashing against the masts. She is a proud white albatross skimming across the ocean, beautiful as a tiered cloud. Oh, a Yankee ship comes down the river: blow, boys, blow: her masts and yards they shine like silver: blow, my bully boys, blow: she's a crack ship, a dandy clipper, nine hundred miles from land; she's a down-Easter from Massachusetts, and she's bound to the Rio Grande!

Where are the men who put to sea in her on her first voyage? Some have piled their bones in California among the hides; some died frozen off the Horn in snowstorms; some slipped down between two greybacks when the yards were joggled suddenly. Still she glistens beautifully, her decks snow-white with constant scrubbing, as she sweeps into some empty, sailless bay which sleeps all day where the wild deer skip away when she fires her eighteen-pounder, the sound reverberating about the empty hills. San Francisco? No. San Francisco will not be built for a dozen years to come. Meanwhile she hums with the tumult of loading. The mutineers, even, are let out of their irons and flogged and fed. Every day from when the dawn flares up red amid the hills to the hour it drops dead to westward, men walk gawkily, balancing on their heads the burden of the cargo. Now the anchor is up and the sails they are set, and it's 'way, Rio. Boston girls are pulling at the ropes: only three months of trouble yet: time for us to go!

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Beautiful as a tiered cloud she flies out seaward, and on her decks loaf and stumble a luckless crowd, the filthy sweepings of the stews. In a week, in a day, they have spent a year's wages, swilling it away and letting the waste of it run down among the gutters. How were these deadbeats bribed to go? Only the Ann Street runners know. Dagos, Dutchmen, Souwegians, niggers, crimp-captured greenhorns, they loaf up on the afterdeck, some of them already wrecks; so sick they wish they had never been born. Before them all the "old man" calls for a bucket of salt water to wash off his shore face. While he is at it, telling them how he will haze them till they are dead if they try soldiering, but it will be good grub and easy work if they hand, reef and steer and heave the lead, his officers are below, rummaging through the men's dunnage, pulling out heavers, prickers, rum bottles, sheath knives, and pistols. On each grizzled half-cowed face appears something between a sheepish grin, a smirk of fear, a threat of treachery, and the dogged resignation of a brute. But the mate—Bucko Douglas is his name—is the very same who booted three men off the masthead when they were shortening sail in the teeth of a Cape Horn snorter. Two of them fell into the sea, and the third was tossed still groaning into the water. Only last night the captain stuck his cigar butt into one poor swabber's face for not minding the compass, and gave Jim Baines a taste of ratline hash for coming up on deck with dirty hands. Meanwhile under a grand spread of canvas, one hundred feet from side to side, the ship rides up the parallels. From aloft through the blue stillness of a tropic night, crammed with stars, with thunder brewing on the horizon, a mournful echo rises and swells:

"Oh, my name is hanging Johnny,
Away—i—oh!
Oh, my name is hanging Johnny,
So hang, boys, hang."

The Great Republic, launched before thirty thousand people, her main truck overlooking the highest steeple of the town, the eagle at her bows, and colors flying, now in her first and last port, is slowly dying. She is a charred hulk, with toppling masts, seared gilding, and blistered sides. The Alert no more slides pertly through the bergs of the Horn. The desolate barrens of Staten Land, where no man was ever born, hold her bones. The Black Baller Lightning, that took eighty thousand dollars' worth of cargo around the world in one quick trip, was hurled and ripped to pieces on some uncharted reef or other. The Dreadnought disappeared in a hurricane's smother of foam. The Sovereign of the Seas, that never furled her topsails for ten years, was sheared clean amidships by the bows of an iron steamer as she left her last port. The slaver Bald Eagle cut an unlucky career short when she parted with her anchor and piled up on the Paracels where the pirate junks are waiting for every ship that swells out over the horizon. The Antelope was caught off the Grande Ladrone in the northeast monsoon; she's gone. The Flying Cloud, proud as she was of beating every ship that carried the Stars and Stripes or the St. George's flag, could not race faster than a thunderbolt that fell one day on her deck and turned her to a cloud of flame—everything burned away but her fame! No more will California hear the little Pilgrim's parting cheer. The crew took to an open boat when their ship was scuttled by a privateer. So they die out, year after year.

Sometimes the lookout on a great steamer wallowing and threshing through the heavy seas by night, sees far off on his lee quarter something like a lofty swinging light. Beautiful as a tiered cloud, a ghostly clipper ship emerges from the surges that keep running away before day on the low Pacific shore. Her upper works are kindled by the sun into shafts of rosy flame. Swimming like a duck, steering like a fish, easy yet dry, lively yet stiff, she lifts cloud on cloud of crowded stainless sail. She creeps abeam, within hail, she skips, she chases, she outpaces like a mettlesome racer the lumbering teakettle that keeps her company. Before she fades into the weather quarter, the lookout cries: "Holy jiggers, are you the Flying Dutchman, that you go two knots to our one?" Hoarsely comes back this answer from the sail: "Challenge is our name: America our nation: Bully Waterman our master: we can beat Creation."

"And its 'way, Rio;
'Way—hay—hay, Rio;
O, fare you well, my pretty young girl,
For we're bound to the Rio Grande."

JOHN GOULD FLETCHER.

Control of Legislatures

IT appears from proceedings of the New York Constitutional Convention that administrative efficiency is considered too dangerous to be admitted to our system of government. In all the proposals matured by the committees the ruling idea is to guard against abuse of power, whereas the greatest need of the times is provision for the energetic exercise of power. The prevailing tendency is illustrated by the proposed section in regard to the public service commissions. The creation of the commissions, accomplished through the insistence of Governor Hughes, was a belated step toward bringing public service corporations to the proper subordination found in every other civilized country. But for con-

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trol to be effective it must be administrative and not exposed to uncertainties or delays. No attitude should be open to the corporations but that of immediate obedience to the orders of the administrative commissions to which they are subject. If there is abuse of power the true remedy is political, and not through any intervention of judicial process. No appeal to the courts should lie against the acts of a public service commission. But the courts have extended their jurisdiction to the acts of the commissions, both on questions of law and fact. It is now proposed to confirm this fettering of administrative authority by putting into the constitution an explicit provision that "the decisions and orders of the commissions shall be subject to review by the courts."

The American people are so backward in democratic system that the subordination of the commissions to the courts will probably be regarded as necessary for the protection of property interests. Indeed, it is quite likely that those who read this article experienced a sense of shock in the preceding paragraph at the suggestion that the courts ought not to be allowed to interfere in such matters. This feeling is the natural expression of the deeply implanted instinct of constitutional government that no one should be outside the law. Of course there should be means of redress for any grievances caused by official action, but a sound constitutional system provides other means of redress for administrative misconduct than appeal to the courts. No people are more insistent upon administrative responsibility than the English, but their courts will afford no relief against abuse of power by an administrative commission. If the law empowers a commission to exercise a discretionary power, the courts will not inquire whether the discretion was used wisely or foolishly, with good or bad motives, or whether it was used for the purpose for which it was given or not. If the commission misbehaves the remedy is political—through the action of the representatives of the people in calling officials to account for their behavior. The administration of the government in all its branches is exposed to the criticism and subject to the control of the representative assembly. In its annual sessions the people have such an effectual organ of control over the government that the large administrative authority required by the tasks of modern government is freely bestowed without risk of injustice. Corporations must submit themselves to these conditions, and in practice they find that such close subordination makes for security and good will.

It will be said that however such things may be in other countries, it is plain that American assemblies do not supply an organ of control which can be depended upon to check administrative misconduct. On the contrary it has become an urgent necessity to subject the legislature itself to increased control, and this is one of the problems with which the Convention is wrestling. The prevailing opinion seems to be that popular assemblies are in their nature so addicted to folly, extravagance and corruption that they need to be put into a constitutional straitjacket. Practical men of affairs would be likely to regard as sheer madness the suggestion that corporate investments should have no higher protection than is afforded by the sense of equity in a popular assembly. Nowhere in the civilized world to-day is there such profound distrust of democratic government and such stubborn determination to withstand it as in the United States. To offer it as a cure for our troubles causes so much irritation and disgust that the proposal cannot hope to obtain respectful consideration. But the most practical-minded men must at least be able to see that even though the American legislature does not constitute an organ of control over the government in behalf of the people, representative assemblies in other countries successfully perform that function. One need go no farther than New York's nearest neighbor on the north for an instance of that. The contrast between Toronto and Albany in this respect is most instructive. Indeed, any study of comparative politics will show that it is the normal function of the representative assembly to act as an organ of control. The American situation is morbid and unnatural.

What, then, are the conditions of the normal function, and in what respects do our governmental arrangements violate those conditions? Details are intricate, but the fundamental principle is not hard to understand. It is simply that the representative assembly shall be disinterested as regards appointments to office and expenditures. These are matters in which it should have no part whatever. It cannot participate in the administration and act as a control over the administration at the same time. The features of American politics that destroy the constitutional function of the assembly are the contingency of executive appointments upon legislative approval and the ability of members to propose appropriations. If the executive department had of its own motion power to make all appointments to such public offices as the legislature would authorize, the legislature would then be naturally inclined to take care that no larger opportunity for executive prerogative should exist than public needs actually required. And if the legislature could make no grants of public funds other than the executive department demanded, its natural disposition would be to cut rather than pad the appropriations. These are the main conditions for the development of the function of control, but there is another condition essential

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to its exercise—direct contact between the executive and the legislature. The representative assembly should have the executive where it can be questioned and criticized on any occasion.

These principles are not merely of theoretic excellence. They are rigorously applied in actual practice wherever good government is found the world over. For instance, there is no such thing as a legislative budget in any English commonwealth. The members of the legislature have no participation in appointments even in their own service. The German municipal code expressly provides that while city councils may choose unpaid officials in their service, as soon as any salary is attached to an office the appointment is made by the administration. The same principle runs through the Swiss service. The proverbial difficulty of government—"Who will watch the watchman?"—has been solved by modern democracy by putting the watchman in such a position that he can do nothing but watch, having no power to help himself to the treasure. Democratic rule will never be a reality in this country until these well-tested principles of government are adopted, and efficient administration will not be attained until by their means we have provided a true organ of control. Our present expedient of piling everything on the courts will lead to increasing complications of misgovernment, oppression, waste, inefficiency and disorder.

HENRY JONES FORD.

Medical Expert Testimony

JUSTICE HENDRICKS' recent utterances concerning alienists who testify for pay, come from him with the fervor of one just entering a virgin cause. Something ought to be done, he thinks, about the alienists.

It would be gratifying if this latest suggestion from the bench would light the way to the solution of this problem. Both the medical and legal professions have been trying unsuccessfully to solve it since long before the English judges answered the question propounded to them by the House of Lords in 1843 regarding the legal proof of irresponsibility by reason of insanity. The subject has now been so thoroughly agitated that many of those most conversant with the arguments are settled in the conviction that present results have little hope of being bettered under the existing principles of criminal procedure. Every year some new proposal for detailed reform is advanced, but every effort proves to be a walking up the same old stair of sand.

Meanwhile doctors and lawyers plod along as best they may, while now and then some gross miscarriage of justice shows the fundamental unsoundness of the present system. The alienist bears the bulk of blame, whereas the real fault is with the system.

The first difficulty is that the alienist, as a witness, is told to be precise in regard to as fluid a thing as the standard of normal conduct, and, testifying at the outset that insanity cannot be defined, is forced to shape his testimony to please a definition that is the law. Not to know the nature and quality of an act, and not to know that it is wrong, is insanity according to criminal procedure in New York. This criterion of Sir Fitzjames Stephens defeats its purpose in that by it a man delirious with typhoid fever is a lunatic, while he who plots and kills under the compulsion of delusion may well not be.

Another obstacle to the harmonious working of law and mental medicine lies in differing points of view. A ruling of Judge Gray's, often cited in will cases, is an excellent example of the gap which separates the legal attitude from the teachings of psychology. He says: "Delusion is insanity when one persistently believes supposed facts which have no existence except in his perverted imagination. But if there are facts, however insufficient they may in reality be, from which a prejudiced or bigoted mind might derive a particular idea or belief, it cannot be said that the mind is diseased in that respect. The belief is illogical or preposterous, but it is not therefore evidence of insanity in the person."

Exception may be taken to both parts of this opinion, but if the second part were true, asylum superintendents would be obliged to apologize to many of their charges and let them go. For a delusion creates no facts, but is a fantastic twisting of the same facts which the man of balance accepts more or less uniformly, but which the insane man recognizes and reacts to in a way peculiar to himself. It is not a denial of everyday actuality but a personal interpretation of it. That the originating facts are not immediately accessible to judge, jury, or even to alienists who are not allowed the means of continuous observation, does not prove that they are not there. They are there although they may not become evident to anybody until some isolated insane act gives the first clue to them.

Many delusions may be for a long time hidden, so that the mental state of the deluded person may

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be that of rationality. Of such delusions the present practice of the law takes scant account, insisting that no act is to be regarded as insane unless the perpetrator of it had gross defects in consciousness or reason at the time of its commission, whereas some outrageous conscious deed may be the first tangible symptom of insanity, and even may be followed by an interval of seemingly normal mentality and conduct. The truth comes out eventually, but not until the individual has become "medically" insane.

The writer was one of a commission appointed by Judge Malone to determine the sanity of one Purcell, who had shot his wife and killed his child. Neither jealousy nor revenge nor anger nor personal benefit was provable as motive, and yet a father had killed in cold blood a child he loved dearly. There were no satisfactory evidences of lunacy. The prisoner was alert, remembered everything, followed his case with interest, and accurately weighed the significance of all the testimony. The act could not be conceived of as a sane one, yet it was impossible to prove the perpetrator of it irresponsible. Purcell was convicted of murder in the second degree. A few months later, in prison, delusional trends of a character to incite to violence became manifest.

It would seem that psychiatry, which should be one of the most important branches of public hygiene, misses its purpose and wins disrepute when it becomes an instrument of trial law. The truth about the elusive changing things it deals with cannot be found out by any given formula such as is necessary at law. It would be in the end wiser to do away with it altogether in the first instance in criminal cases, and to let every case go to trial on the facts.

Such an overturning of criminal procedure would be hardly possible as long as capital punishment exists. No jury would send an insane man to his death. But with the death penalty abolished, and this is another argument for the abolition of it, juries might be counted on to find true verdicts, if they knew that some exemption by reason of insanity would be provided for later. The question of responsibility could be raised after the main issue had been settled, and would be best decided by the court, helped by a commission of three alienists—it is not proposed to do away with these!—appointed by the court to advise its conscience. If the convicted person were found insane, he would at once be transferred to a hospital. But even if he should recover from the insanity, he should still be held in some place of detention for a period of months or years, the length of time being proportionate to the offense against public safety. By these means there would cease to be any absolute and immediate immunity for criminal behavior. In that insanity would thus fall out as a defense, astute attorneys might find much to say about the violation of constitutional right. But they would have to face the fact that time has proved that sanity is not a matter to be tried at law. To avoid injustice, in those rare instances in which insanity is one brief epoch in a lifetime, there would always be the possibility of pardon by the governor, or by a board.

Some such plan would effect a material saving to the state in the expense of trials. But its true economy would be that it would remove much of the suggestion and example which so often makes potential criminality actual. If murder trials ceased to be a game between experts and attorneys, with a violent death the stake, public interest in them would surely dwindle. With suppression of that interest and publicity would also be suppressed potent incitants to outbursts of insanity and crime. Few realize how many unstable persons there are who only need such thrills as are furnished by the lurid tales of criminals and their acts to loose triggers in their brains. Perhaps more realize this fact now than did before Thaw was received by the acclamations of the ten thousand people who betrayed, by their clamoring enthusiasm, that they too despised justice and cherished somewhere the same desires and ideals which gave courage to the slayer of Stanford White.

PEARCE BAILEY, M.D.

First-Line Trenches

TRENCH fighting is siege fighting. By the courtesy of the French government I was allowed to visit several first-line positions between St. Dié and Altkirch (including the Hartmannsweillerkopf, where the opposing trenches are only 10 yards apart), and I noticed few changes from the methods used at the siege of Port Arthur.

Steel and concrete are things of the past, and forts are built of earth, and of earth alone. It is now possible to build forts—that is to say, to fortify important points—in a few days. The Hartmannsweillerkopf position is a typical one. It consists of a series of three tiers of interconnecting trenches which surround a low, knobby hilltop, and which all three command the space between the first line French and German trenches. The front trench, facing the Germans, is about eight feet deep, the sandbags on the top of the wall included. Above the wall there is built a wire net, like the back net of a tennis court, to catch grenades. Thus if a German, in this case only ten yards away, lobs over a bomb, the bomb either hits the net, slides down it like a tennis ball, and explodes outside, or else goes clear over the net and explodes behind the trench.

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In front of the trench are two or three rows of wire, on stakes, like three ordinary barbed wire fences, except that all three are connected into an entanglement. There is also one line of *chevaux de frise*—two logs fastened together in the shape of an X, with a third log in the angle of the X, placed horizontally just as if it was going to be sawed. The whole is then wound in and out with barbed wire.

The trench itself is crowded with soldiers. For each man standing, rifle in hand, another sleeps in small earth chambers hollowed out of the rear trench wall, because with the enemy so close one does not dare depend even on one's immediate reserves. Every few yards there is a machine gun. These are now the great defensive weapon against infantry attacks.

During the time I was personally in the Hartmannsweillerkopf position the Germans fired a number of 74 millimeter shells (about three-inch), all of which fell within a radius of fifty yards, and one within a few feet (outside the trench, of course) of where I was standing. There was complaint of the acrid smell of the smoke, which seemed rather to settle in the trench, but the danger was practically non-existent. Owing to the curve of the shell's flight, one was safe. Only four men had been killed or wounded in twenty-two days, out of, say, five hundred men. The truth is, only large caliber shells, fired at a considerable angle, can injure these simple earthworks. Shrapnel is, of course, quite useless.

In fact, a deadlock existed. The rocky character of the ground prevented winning. The proximity of the opposing lines made long-range howitzer fire very dangerous, for howitzer fire is by no means mathematically accurate, and to prepare an attack one would probably be obliged to withdraw one's own infantry, a dangerous thing to do. The alternative is a surprise night charge; very costly in the face of machine gun fire.

So to-day the defense stands pat on earthworks, wire and machine guns. The attack has tried gas, petrol, bayonets, siege artillery, field artillery, grenades and mines, and has come out, generally speaking, second best. Trench mortars have not developed the requisite accuracy nor the requisite destructive power. High explosive shells in sufficient quantities have accomplished the best offensive work, and the infantry is depending more and more on a short, heavy knife, which is the best for work underground or in the dark. To sum up: killing the defenders of a position is accomplished by shells fired at least two miles away on the average; and, secondly, by what the French call body-to-body fighting, for which a knife is the best weapon. The training of infantry on the Continent will, in the future, undoubtedly include the technique of hand-to-hand struggles—for which physical agility and strength must be developed.

But even when an attack is successfully carried out, the cost of maintaining a captured position, and of consolidating it in one's own line of fortification, is very high, for one is temporarily unprotected from the enemy's artillery, and one must also withstand counter attacks by his infantry. Properly executed advances will, however, often cause the enemy to sacrifice more men in his counter attacks than one loses in the original stroke (for, if the position is important, he will otherwise have to evacuate neighboring territory), and this is what Joffre calls "nibbling." In Alsace, where the positions are unusually isolated and dominant, this kind of warfare seems clearly indicated, and seems to depend entirely on the skill of company and battalion commanders and on the morale of the troops. This is a captain's, not a general's, war.

The opinion on the Alsatian front, in which I heartily coincide, is that the only way to win the war is to kill enough Germans. As to how long it will last, at that rate, one hesitates to conjecture. A French brigade commander advanced the theory that seventeen years will certainly see the end of it, as by that time there will be no more children growing up. Perhaps he is right. Perhaps there will then be left only a handful of white-whiskered men holding the levers of machine guns.

GERALD MORGAN.

CORRESPONDENCE

A Public Defender in New York

SIR: Inasmuch as I initiated the recent very active movement to establish the office of public defender in New York, and have vigorously agitated the subject, I read with much interest the editorial contained in your issue of July 31st relative to Governor Johnson's failure to sign California's Public Defender bill. While it is unfortunate that such bill did not become a law because the Governor failed to act on it within the required time limit, it is nevertheless significant that both Houses of the California legislature, consisting of 120 members, passed the bill with only nine negative votes, thus attesting a powerful California sentiment in favor of a public defender, as well as a general approval given to the public defender's office, which has been in operation in Los Angeles for about nineteen months.

Not only under the early Anglo-Saxon jurisprudence was the public prosecutor expected "to include defence among his duties," but it has been urged, and properly so, by many opponents of the public defender idea, that under our American system of jurisprudence the prosecutor is required to safeguard the rights of an innocent defendant. Theoretically this is true; but as a practical matter, I contend that it is humanly impossible for a prosecuting officer properly to represent both the state and the individual defendant. The district attorney is expected to prosecute

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crime, he is elected for that purpose, and if he could adequately represent both the people and the accused, there would be no necessity for the present system which gives the accused person the right to private counsel. The public defender idea contemplates giving to all classes of accused persons, rich or poor, strong or weak, intelligent or ignorant, the same resources and opportunities to establish their innocence and to present the facts and the law bearing upon their cases, that the state affords to the accuser to present his charge. It is just as logical for the state to seek to establish the innocence of an innocent man as to attempt to convict the guilty man, and particularly so since, under our laws, a man is presumed to be innocent until he is proved guilty. It would not be the function of a public defender to discredit the administration of justice by seeking to acquit guilty persons, but it should be his purpose to cooperate as a public official with the district attorney, with the sole end of elevating and improving our standards of justice. The office would be thoroughly justified from the standpoint of efficiency and economy, and the Los Angeles experiment conclusively establishes the truth of this statement.

The movement in New York is gaining ground rapidly. It was my privilege to draw the Public Defender bills which were introduced in the New York legislature of 1915, as well as the amendment to the state constitution which is now pending before the Constitutional Convention sitting in Albany. The subject has received a tremendous amount of attention from Bar Associations, political, religious, and civic organizations, both in New York and throughout the country, and except for the opposition of committees of several Bar Associations, there has been a distinct and rapidly growing sentiment in favor of the proposed innovation. Distinguished judges, lawyers, sociologists, and many thinking men and women are enthusiastically supporting the public defender idea, and I venture an assertion that within the next few years the public defender's office will be an important adjunct of criminal law.

I may not trespass sufficiently upon your space to enumerate in detail the benefits which will accrue through the establishment of a public defender, but briefly stated, the following advantages will be important:

I. That the theoretical "safeguards" now thrown about the accused will be rendered more effective through a genuine protection of his rights.

II. That cases would be more honestly, ably, and speedily disposed of.

III. That perjured and unscrupulous defenses will be materially reduced.

IV. That unfair discrimination between different classes of prisoners would be eliminated.

V. That a certain class of criminal lawyers will speedily disappear.

VI. That the truth and the law in any trial would be more readily and satisfactorily ascertained.

VII. That the expense to the county would be decreased.

VIII. That the whole tone of a criminal trial and of the criminal courts would be elevated by a higher ideal of justice.

It is confidently predicted that not only will our people favor this proposed innovation, but that they will, when their attention is called to its importance, demand such legislation as may be necessary to secure to them a fundamental and substantial right.

MAYER C. GOLDMAN.

New York City.

Parenthood That is Voluntary

SIR: I am glad that you printed in your last issue the letter from Daisy Lee Worthington Worcester. It relieved my conscience—because I felt that such a letter ought to be written, and that I'd have to write it, if no one else did.

The advocacy of continence as the best method of birth-control presupposes that the love-life of man and woman is in itself ignoble, and that it is rendered worthy—or at least it is somewhat dignified—only through procreation. This is a Puritanical assumption that is the basis of much mal-education. It insults fine mating and the possibilities of an enrichening and adequate love. It tends to render marriage sterile emotionally.

The physical subjection of women in marriage has been a real and a very terrible thing. But liberation will not come through a vilification of the passions of men. Nor will it come through a conversion of these rampaging males to an impossibly fastidious asceticism that, by the very laws of the emotions, tends to fix morbidly the attention on that which a saner method of living fuses into the texture of a varied life. Rather shall our liberation arrive through freedom to marry such men as we wish to mate with—men who are our comrades physically as well as intellectually.

Your discussion of birth-control has been admirable. We need most tremendously just this sort of thing. In getting the viewpoints of variously minded persons you will do much to elucidate what is evidently, to many, a bewildering and complex subject. To me it is not so. I am convinced that intelligent control through contraceptives is the most important single means that human beings can take toward the bettering of human life. I am convinced that it gives higher moral values to marriage. For in so far as a wife is not joyous and unafraid in the marital relation, in so far as motherhood comes not through her own volition and desire, in so far are marriage and herself degraded.

FLORENCE KIPER FRANK.

Chicago, Ill.

No Vote—No Salary

SIR: Eight years ago Miss Charlotte Rumbold, fresh from her Columbia University training, opened the first municipal playground in St. Louis as the paid secretary of an unpaid commission. She now runs seventeen playgrounds and a few swimming pools—one, the largest artificial pool in the country—innumerable concerts, picture shows and, her latest innovation, municipal dances. All this without one single serious accident in the eight years and on the same salary paid her six years ago for less than one-half of this work. Last year, on a three months' leave of absence, she was the moving spirit and the executive secretary of the great St. Louis Pageant. Under the new charter she asked for a raise of salary, and her Director of Athletics, a young man whom she had trained, asked for one also. The bill went through its various hearings, the Board of Estimate certified the money was in the treasury, and the bill was referred to the committee of ways and means, five men, mostly from the brewery wards, though headed by a man from the best residence district. The newspapers published a statement from this committee that the proposed raise from eighteen hundred to twenty-four hundred dollars for Miss Rumbold was to be denied and that Mr. Abeken's salary was

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to be raised from twelve hundred to a parity with hers; because, said these frank gray wolves, "Miss Rumbold is no voter and when she had jobs to give she never favored us Republicans."

Aroused by this injustice, letters, telegrams and telephone calls poured in, not only to the ways and means committee but to all the twenty-eight Aldermen. A public hearing was arranged and the committee report set for Wednesday. On Wednesday morning the papers announced that the hearing had been deferred till Thursday because the Aldermen had forgotten they were due at a ball game on Wednesday! But by quick work at the telephone, all was rearranged by the women's organizations, and on Thursday such a tribute was paid to Miss Rumbold's work as had never before been paid to any one. Five hundred women and many men came to ask that her services be properly recognized.

But "the boys" had everything fixed. The committee voted against her, three to two; but they did not dare to raise poor Mr. Abeken's salary as they had planned, in the face of such a demonstration. The whole body sustained the committee, twenty to six, and then the Aldermen, with a sense of duty well done, having done two months' of work since their installation, voted themselves ten weeks' vacation with pay and promptly adjourned. This vacation will cost the city twelve thousand dollars. The reason they finally gave for refusing a six-hundred dollar raise to Miss Rumbold was that the city could not afford it!

M. E. B.

St. Louis, Mo.

Graft in Industrial Democracy

SIR: Your editorial of July twenty-fourth bearing on some of the aspects of the recent strike of Bridgeport machinists, raises as a vital moral question the current charge that union officials were bribed to bring about the strike—that it was caused by other motives than the welfare of the workers: "If union officials permit themselves to be swayed by any influence other than the welfare of the workers, they strike at the very foundations of industrial democracy."

It is readily agreed that it is extremely desirable that union leaders should be actuated at all times by the welfare of the workers. It is equally desirable that all leaders and men in positions of trust of equal moment should have the best interests of their people first and foremost in order that our system of control, of government by representation, which is democracy, shall continue. Any other motives impair democracy according to their character and the degree to which they obtain. But although more or less of the substance of democracy may be lost, the form and machinery yet remain by which corrective measures are applied and a higher plane reached.

There is no essential difference as to the relationship of union officials to industrial democracy and that of elective officials to our system of political democracy. Corruption in either one is just as subversive of democracy as the other. No higher standard of conduct should be expected or required of union leaders than of men in any other positions of trust and leadership. Nor can it be said that dishonest motives on the part of union leadership strike at the foundations of industrial democracy any more than dishonest motives on the part of civil officials strike at the foundations of political democracy. As grafting politicians have the menace of reform movements constantly before them, so have union leaders a quickened consciousness of the desires and purposes of the rank and file. As political graft of high and low degree has not leveled the edifice of civil democracy, neither will self-seeking union leaders prevent the rearing of its counterpart, industrial democracy. Both structures are safe so long as they are desired of the people.

J. W. McConnell.

Washington, D.C.

Violently Against War

SIR: I find numerous unhyphenated Americans like myself who are amazed at the velocity with which we seem to be drifting into the European war in defense of our right to travel to England on British ammunition ships. The right to travel on a vessel loaded with dynamite, nitro-glycerine and other high explosives is one which any sane person would gladly waive, and if there is one American in half a million—a liberal percentage—with a preference for such ships, it would appear to be wiser to turn him over to an alienist rather than permit him to turn us over to the horrors of war.

If any principle of democracy were involved in the European struggle we might consistently use our right to travel on British ammunition ships as a pretext for entering it. But no such principle is apparent. If our strength flung on the side of the Allies decided the fortunes of battle, does anyone suppose for a moment that France would permit the inhabitants of Alsace to choose the government they wished to live under, that Russia would consent to a referendum in Turkey as to whether the people wished to be ruled from Petrograd, that England would withdraw her military forces from Egypt while the inhabitants voted on whether they desired to be independent?

There is no doubt that the people of the United States were shocked at the violation of Belgium. But our government made no protest about Belgium, and it is rather late to take arms for the restoration of Belgium now. And even if an amiable Quixotism impelled us to start restoring Belgium, we could not consistently quit there. The enslaved negroes of the Belgian Congo would next raise their mutilated stumps of arms in eloquent appeal, Poland and Ireland and India would cry loudly for us, and Mexico would invoke the restoration of her "lost provinces." If we embarked on such a career of international knight-errantry, I can imagine the grim laughter of John Lawson in his Colorado cell.

If there is any real reason for entering the war on the side of the Allies it must be to end our present dubious status of highly profitable technical neutrality. By contributing ammunition to the bloody struggle we are reaping a huge harvest of wealth without taking any risks. In order to exploit and fatten on Europe's misery we are turning all sorts of peaceable factories into munitions works. Manufacturers who formerly made harmless, necessary things like tin cans and elevators have become perverted to war business and hundred per cent profits.

Meanwhile we are being drawn into this horrible slaughter in defense of a negligible "right." While we are supposedly a democracy, our citizens are not being consulted in any way. They are as helpless in the face of the governmental purpose as the citizens of Austria or Russia. The whole progress of our democratic evolution seems to be at the mercy of one single-track mind.

Harold Kellock.

Forest Hills, N.Y.

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Books and Things

AT last she turned from her right-hand neighbor to me, who had been sitting humbly and feeding on food. She told me I was interested in the theatre, and described what went on inside her head whenever she read a play. Any play, apparently. With her little air of confessing what she would gladly have denied, she acknowledged that she was different from other women and most men. To her there was no difference, literally none, between reading a play and seeing it acted. Her imagination saw the face and clothes and motions of every player, heard every player's voice, saw groups form and unform themselves upon the stage, saw the doors and windows and pictures that broke the surface of its three walls. From the beginning to the end of an act there was no moment when her imagination wasn't seeing and hearing.

Every now and then you come across somebody who says things of this kind, and who appears to believe them. Although I ought to know better by this time, I always respond with the same old set of questions. Why is your brand of imagination never found in producers and stage managers? Why do you see stage settings instead of real rooms and real out-of-doors? Is every character's voice fixed for you with the first words of his first speech? Don't you think it odd that your imagination, no matter how great or how small the imaginative force of the dramatist who sets it going, should work with such uniform and monotonous success? Useless though I knew such questions would prove against her, I fired them off nevertheless, and beheld each of them flatten on the blank wall of her mind. But I repressed the only question I really wanted to ask: "Have you any notion of what does happen to you when you read a play?"

Walking home after dinner, with a lantern to help me dodge branches, I asked myself this last question. No very satisfying answer resulted. I couldn't remember that the reading of any play, however stimulating, had ever been accompanied by unbroken vision. What had happened was only a coming and going of masks and forms and human voices, against a background that showed itself suddenly and was suddenly gone. Men and women were visible in glimpses, and no more. In the last act their faces were often not the same as in the first. Sometimes a heroine's voice wouldn't be audible until the play was half over, and then only for part of a scene.

Was anything beyond this true of all the dramatists that I'd read, anything common to all and untrue in the case of books other than plays? What, after all, is less alike than the running impressions left by two dissimilar playwrights? Take Sardou when he isn't writing comedy, Paul Hervieu in "The Enigma" or in his latest, assisted-suicide play, and Sudermann in "Fritzchen." As soon as any of these is under way he turns into a pacemaker, whom I follow close behind, bent forward, looking neither to right nor left, my eyes fixed on the cinderpath we speed along. But there are other dramatists toward whom my relation, when I read one of them, is that of a dog to his master out for a walk. I go where he leads, but I am free to stray, to run off and investigate anything that stirs on either side of his way. As a reader, even of plays, I am at liberty to lay down the book and listen long to the rude imperious surge the poet lets me hear, or to look curiously down a long flight of steps, in a partly disinterred old city, and wonder, as Stephan von Sala wondered, what the still buried steps will end in.

If I had a sleepless visual and auditory imagination, like the imagination of the vide supra lady, I should probably be glad of its light, as she is, and try to dazzle other people therewith, as she does. But since I have nothing of the sort, why shouldn't I read plays in any way I please, seeing, hearing, guessing, remembering, thinking in scraps, and sometimes just reading? When I read Bernard Shaw nowadays I don't hear much except a witty and clear-headed man repeating himself in an Irish accent. He provokes in me, even at the moment of reading, a desire to reduce all his characters to a few familiar types, and then thwarts this desire. What technical shortcoming is responsible for that effect of extreme volubility which so many of his men and women produce? In other words, I have involuntarily passed into a condition of curiosity as to what I really think about Shaw, and all power to visualize his scenes has disappeared. This isn't the right attitude toward a playwright, I suppose, but at least it does him no harm.

Poking about among recollections, hunting for a play that does make me see as I read, I come upon Hofmannsthal's "Elektra." To read it, or to hear it read, is to see barbaric figures in a blood-mad dance, lighted by torches, lighted by conflagration, dimmed by smoke, hidden in smoke. And here, almost accidentally, I come upon an answer to my question. Reading a play, judged by the frequency, vagueness, definiteness and uncertainty with which I see and hear it, is like trying not very hard to remember a sequence of real things heard and seen.

Such a description, carefully modest, leaves a reader free to send his attention where he pleases. He may look at a play as contrivance, as a portrait of its maker, as imitation of everyday life, as destiny unveiled. He may trace the design, the scenario, which some playwrights treat as the mould they pour their metal into, others as just a trellis for their flowers. Or, if he likes, when the play is worth such effort, the reader may try to reconstruct the experience which excited in the playwright the feeling he has tried to communicate by imagining events and words more expressive than those his experience supplied him with, ready made.

My definition, as you have doubtless remarked before now, not only leaves a reader free. It leaves him too free. It excludes too little. It is quite as applicable to a reader of novels, of narrative verse, of history in its vivider kinds, as to a reader of plays. It needs touching up. Let me mend it by adding that I always read a play, and never read anything else, with an almost unbroken sense of two or more persons confronted.

Armed with this self-knowledge I lay in wait for the afflicting lady mentioned above. Weeks passed before I met her and repeated, rather more concisely, what is here set down. She listened with an air of listening. When I had finished, had successfully uttered the word "confronted" as if it were an ordinary word, she told me, quite as if this meeting were our first, that perhaps she wasn't like other women, but that to her there was literally no difference between reading a play and seeing it acted. In imagination she saw the masks and costumes and gestures of the actors, heard every actor's intonations, saw groups made and unmade upon the stage with a vividness in comparison with which an actual performance was pallid. Her imagination chose the wall-paper, the pictures and their frames, the chairs and rugs.

P. L.

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Drama Comes Back from the Movies

THE weary critic of bad plays who announced that the moving picture machine would soon put an end to the spoken drama has not proved to be a very trustworthy oracle. What the profession loves to refer to as the legitimate drama continues to flourish, and it is now generally recognized that the prophecy of its early extinction was a foolish one. It was made in a panic and did not take sufficiently into account the now obvious limitations of moving pictures. The moving picture dramatist, by the very nature of his medium, is almost entirely restricted to pantomime, which is in itself a lower form of expression than the human voice and constantly limits him to simple emotions and transparent plots. He is forced to sacrifice everything in the way of characterization except the stereotype; and he can never work very far ahead of his audience, since one of the chief pleasures of dumb show comes from knowing in advance what the actor is about to pantomime. He has also failed to make the best use of the advantages of his medium for obtaining a stronger dramatic effect. Both "Cabiria" and "The Birth of a Nation," among the most ambitious of recent photo-plays, showed a multiplicity of detail and a lavishness of material such as drama can hardly hope to rival, but the emphasis was entirely upon the spectacular and the picturesque, while the dramatic thread was often thin and tedious. They threatened to become dangerous rivals, not to "Hamlet" or "Ghosts," but to "Ben Hur" and "The Christian."

There is a further reason why the twilight of the drama has not yet set in. Our pessimistic prophet altogether ignored the persistent personal interest of the audience in the actor. Moving picture audiences to-day are hungry for every detail about the real Mary Pickford and the all too fleshly Chaplin. They are clamoring to adore their idols on the boards. They want to hear them speak and see them in their three dimensions. For the novelty of moving pictures has already worn off and the spectator is beginning to feel restive under the strain of reading from the lips of puppets who almost speak. The recent performance of George Beban in "The Alien," in the last act of which the actors step out of the screen and finish the play in their own persons, indicates the pressure of the audience. The magic of personality has not yet succumbed to the machine.

We can well imagine that a generation brought up exclusively on moving pictures would hail the sudden introduction of the actual performer as a great invention. So simple and logical a step would seem to them truly marvelous. At first the bodily presence of the actor might seem to them almost too oppressive, as we now feel it to be when we sit close up on a Shakespearean platform stage, but they would soon wonder why they had been so long content to blink at animated photographs. The effect upon the actor would be most salutary. He would soon find that he was making himself laughably obvious. The astonishing calisthenics with which he has been accustomed to wring our withers would no longer serve his purpose. He would have to abandon the "irascible" look, the "revenge is sweet" look, the "jealousy" look, the "lovey-dovey" look and all the other looks with which he now so impudently holds the camera in order to convey to us that he is feeling something, ah, so profoundly. He would have to unlearn all his looking-glass grimaces and try to regain the natural mobility of human expression. The historian of the drama would also give us a most instructive chapter on the emergence of the actor from the machine. He would hail it as a revolutionary step in the development of the drama, without which, in his opinion, the "Hamlet" that he worships would never have been possible. Knowing nothing of our pre-machine drama, he would not be tempted to draw the conclusion that with the rise and decay of moving pictures the drama has gone backwards in order to go forward again.

The sudden spread of moving pictures also gave rise to a second, more comforting prediction. Film plays were to act the rôle of stimulating competitors. The drama, in order to save itself from extinction, would have to attain a new level of excellence. A veritable renaissance would result. The dramatist would have to look to his laurels and to his royalties and discard the old tricks with which he had wearied us so long. This was a very canny prediction and shows that hope springs eternal even in a dramatic critic's breast. But it has likewise failed to come true. The renaissance of drama, if we may speak of such a thing at all, began some time before the days of moving pictures and as yet owes little to their competition. It is instructive to remember that the improvements in photography have also failed to bring about the predicted excellence in portrait painting. What has happened in each case is simply that fewer painters have embarked upon that most capricious of crafts, while large numbers of hitherto unsuspected dramatists have taken to writing moving picture scenarios. Advance in art seems to wait more upon the artist than upon the mechanic.

Moving pictures have then neither eliminated nor bettered the drama. A third possibility has never been considered. They may have led to at least a temporary deterioration of the drama. A lower form of art may have dragged down the higher form. If we examine such plays as "On Trial," "The Phantom Rival," and "My Lady's Dress," to mention only a few of the recent plays of similar tendencies, we soon notice that the same characteristic is common to them all. They show what may be called a moving picture technique. "My Lady's Dress" is little more than a series of five one-act incidents loosely held together by swift changes of scene. In "The Phantom Rival" we hear the film sputter and unroll, while in "On Trial" the process is already so smooth that we have almost become resigned to it. None of these plays, it is safe to assert, would have enjoyed the same success before an audience that had not been broken in by a decade of moving pictures. The dramatists would hardly have dared to write them in just that way. They lack that inner cohesion which may be called the soul of a play. In seeing them we are constantly disturbed by being reminded of moving pictures.

The dramatist has plainly stolen a leaf out of the moving picture scenario. He has relaxed his standard. Where formerly he at least strove for some quintessence of the dramatic he is now content to be narrative and pictorial. He has realized that the moving picture enjoys a great advantage in the swift telling of a story, but he has overlooked the fact that this speeding-up involves the sacrifice of subtle characterization. Artistically the moving picture is at fault in constantly telling us too much so that nothing is left to our imagination, and this tendency is further abused by the most unblushing stage whispers in the form of printed information thrown upon the screen. We have come to accept these many distracting changes of scene in a film play because we recognize that the camera, deprived of the aid of words, cannot gather in and condense the im-

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port of events that bear upon the situation in hand. The camera can reach us only through the eye. But with the dramatist we have come to expect a higher artistic selectiveness and a greater sophistication in getting his effects. If now, under the influence of moving pictures, he yields too much to the pictorial, he deliberately abandons his great advantage of appealing both to our ears and to our eyes. If he rashly distracts our attention by multiplying his scenes we have the right to ask him whether this greater elasticity of construction really compensates for the sacrifice of characterization.

For it must be remembered that great dramatists have achieved their most notable triumphs through characterization quite as much as through deftness of construction. Our interest in old plays lingers longest at those points where the dramatist has often deliberately held up his plot and revealed his insight into human character. Great plays rarely have original plots, and the virtuosos of plot construction do not necessarily rank high as interpreters of life. The true dramatist feels that he can put sufficient variety into the great stories of the world if only he sees his characters freshly and can make them move vividly in the life that he knows best, with speech to unlock their hearts to us, and gifted actors to entrance us with the magic of their personality. That is why he has never seriously faced the problem of plot exhaustion. His finest achievement lies in revealing to us the conception that human nature is in*finite.*

It is at this level that the defects of moving pictures grow most apparent. It is surely not without significance that dramatists of note do not seem to succeed as writers of moving picture scenarios, while the trained actor rarely makes a good "movie" actor. Both have been accustomed to work through characterization, and the actor now finds himself at a loss to interpret personalities of whose character the dramatist can no longer give him any but the most cursory indications. We have seen that in moving pictures all characters tend to sink down to types and all interpretations exhibit the same mechanical mimicry. The moving picture dramatist is beginning to face the charge of monotony. In his brief career he seems already to have exhausted the thirty-two original plots. For there seems to be a real limit to the number of plausible plot combinations. The moving picture dramatist is at a loss to make just those slight variations with which the older dramatist saves the day. He cannot differentiate widely among his types or safely leave the solid ground of those tried and approved plots to which something in all of us instinctively responds. He can only make a few superficial changes in such things as costumes, scenes and periods. That is why we so often see the same type of hero gesticulating his way through the identical plot, now fitted out as a cowboy, now as a gunman, now as a deep sea diver. If the moving picture dramatist tries to deepen his characterization by means of supplementary information cast upon the screen he destroys a precarious artistic illusion; if he bids his characters to indulge in more dumb show they fatally remind us of deaf-mutes. For any and all of these reasons the highest forms of drama seem destined to remain, at least for the present, beyond his reach. For in the dictum that drama is character in action the scenario writer's whole emphasis falls upon action while character approaches the vanishing point. The dramatist of character would be indeed ill-advised if, through inclining too much to the same methods, he subjected himself to the same limitations.

ALFRED KUTTNER.

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An Early Imagist

The Single Hound, by Emily Dickinson. Boston: Little, Brown and Co. $1.25 net.

"CRITICISM is timid," writes Emerson. "When shall we dare to say only that is poetry which cleanses and mans me?" "The Single Hound" is poetry of this tonic sort, and—though the lifetime it records ended nearly thirty years ago—throws a searching light on the revolutionary volumes of 1915. For starkness of vision, "quintessentialness" of expression, boldness and solidity of thought, and freedom of form, a New England spinster who flourished between 1830 and 1886 in an elm-shaded college town above the Connecticut valley, might give the imagists "pointers": here is a discovery to quicken the modern New England heart. To this day in western Massachusetts Sundays are almost Sabbaths, "ministers" almost men of awe, and Longfellow is almost a great poet. Where, then, in the golden age of "Evangeline" and the Congregational Church, did Emily Dickinson get her daring inspiration?

Certainly she did not go abroad for it, but dug it out of her native granite. To me she is one of the rarest flowers the sterner New England ever bore, and justifies, as Carlyle justified his narrow Scotch inheritance—there is a curious analogy between his prose and her nubbly, elliptical verse—the stiff-necked Puritan elders from whom we all sprang. For without those elders and their family Bibles, and the mystical marriage of the absolute and the homely

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which was the very essence of their minds and hours, Emily Dickinson could never have been on such friendly, not to say familiar terms with God, or sported so whimsically and so stupendously with the mysteries of living and dying. The peculiar quality of her short concentrated poems is that they bring infinity and eternity within a village hedge; and to her, as to the early Puritan, the great earthly experience was poignantly individual:

> Adventure most unto itself
> The Soul condemned to be;
> Attended by a Single Hound—
> Its own Identity.

For Emily Dickinson—of how few, even among "strong-minded" women can it be said—was a genuine solitary.

> There is a solitude of space,
> A solitude of sea,
> A solitude of death, but these
> Society shall be,
> Compared with that profounder site,
> That polar privacy,
> A Soul admitted to Itself:
> Finite Infinity.

The theme finds many variations in "The Single Hound":

> The Soul that hath a Guest
> Doth seldom go abroad.
> Diviner Crowd at home
> Obliterate the need, . . .

and it was probably this "other loneliness," not occasioned by "want, or friend, or circumstances, or lot," in which she felt herself so richly companioned by her own spirit, that led her to keep her verse out of print during her life.

The poems collected in the present volume—the fourth to be published since her death—were all addressed, "on any chance slip of paper," during many years of "romantic friendship," to a sister-in-law who lived the width of a green lawn away. Yet "days, and even weeks, slipped by sometimes without their actual meeting." Mrs. Martha Dickinson Bianchi, deciding at last to publish her mother's treasury, adds a suggestive preface of anecdote and reminiscence to prove how little the aunt she loved resembled the poetess as she is "taught in colleges"—"a weird recluse eating her heart out in morbid or unhappy longing, or a victim of unsatisfied passsion."

Emily Dickinson, to her nieces and nephews, was "of fairy lineage"—"the confederate in every contraband desire," ready to start with horse and buggy for the moon at a moment's notice. "Fascination was her element." She was "lightning and fragrance in one." Mrs. Bianchi's delicate phrases give one hints of it: "her way of flitting, like a shadow upon the hillside, a motion known to no other mortal; the way "her spirit seemed merely playing through her body as the aurora borealis through darkness"; her revelling "in the wings of her mind—I had almost said the fins, too—so universal was her identification with every form of life and element of being." We read of her wiles and ruses for escaping dull society: "He has the facts, but not the phosphorescence of learning"; of her respect for her father, the august leading lawyer of Amherst: "If Father is asleep on the sofa the house is full, though it were empty otherwise."

We learn, too, of the many lovers who attended her elusive and skittish path, and who were on the whole—though men were more stimulating to her than the gentlewomen of her day, whom she once set down in verse as "soft cherubic creatures" of "dimity convictions"—well lost as husbands. For "she was not daily bread. She was stardust." As Emily Dickinson herself puts it:

> The missing All prevented me
> From missing minor things—

The colleges must be losing their sense of humor. For what thwarted old maid could write:

> To this apartment deep
> No ribaldry may creep.
> Untroubled this abode
> By any man but God.

Or say so perfectly:

> That Love is all there is,
> Is all we know of Love.
> It is enough: the freight should be
> Proportioned to the groove.

There is, I think, less of human passion in this collection than in the earlier ones; and somewhat less, perhaps, of that so exquisite and intense identification with nature which Mrs. Bianchi mentions. Yet what a skipping sense—one feels it in one's very heels—of the life of bee, bird, flower, hill, cloud, wind and sun is here.

> Beauty crowds me till I die,

she cries. There are also nature poems, as the one that begins:

> The winds drew off
> Like hungry dogs
> Defeated of a bone—

which for sheer "decorative" quality might go into an imagist anthology. The following is typical of the more resonant and abstruse Dickinsonian manner:

> The long sigh of the Frog
> Upon a Summer's day,
> Enacts intoxication
> Upon the revery.
> But his receding swell
> Substantiates a peace,
> That makes the ear inordinate
> For corporal release.

For the "phosphorescence" of poetry, however, give me:

> A little madness in the Spring
> Is wholesome even for the King,
> But God be with the Clown,
> Who ponders this tremendous scene—
> This whole experiment of green,
> As if it were his own!

"Pondering" kept Emily Dickinson face to face with the other side of the visible world. Half her impatience with her kind was that they prated of "charming April Day"; mistook "the outside for the in"; talked, as she says in a letter, "of sacred things aloud and embarrass my dog." Her own curious imagination sought the "area superior" beyond each day and life. Death was her constant preoccupation; the "overtakelessness" of those who had accomplished it was more majestic than the majesties of earth. Sometimes she wrote of it with utter simplicity:

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To-day or this noon,
She dwelt so close,
I almost touched her;
To-night she lies
Past neighborhood—
And bough and steeple—
Now past surmise.

Again, inquisitively sybilline:

How went the agile kernel out—
Contusion of the husk,
Nor rip nor wrinkle indicate,—
But just an Asterisk.

There are poems, too, where lovers of literary "influence" might find echoes of Donne's rhetoric and abstract vocabulary:

Eternity will be
Velocity, or pause,
At fundamental signals
From fundamental laws.

To die, is not to go—
On doom's consummate chart
No territory new is staked,
Remain thou as thou art.

Donne may well have been in the Hon. Mr. Dickinson's library. But provincial New England kept, well through the nineteenth century, much of the seventeenth century tradition; and transcendentalism was, of course, in Emily Dickinson's air—the academic-minded should take these facts to heart before assuming that either her ideas or her quaint expression were borrowed. They should read Emerson's Journals and compare Emily with his "Cousin Margaret." Her letters show that she thought obliquely, yet unflinchingly, as Meredith did; if ever his "Comic Spirit" found personification, it was in this woman, with her wit, her glancing mind, her range from the sublime to the ridiculous. The difficulties of syntax, the obscurities and abstractions which mark her verse were no more derived than her Amherst realisms, but a very part of her. So were her impertinencies towards her Creator and his prophets, which her earlier editors found it necessary to "explain," lest she be thought blasphemous.

Papa above!
Regard a Mouse
O'erpowered by the Cat—

"To live," she once wrote, "is so startling it leaves but little room for other occupations"; and I believe it is her deeply "startled" sense of man and the universe that keeps her terse and pregnant, yet thistledown verse from archaism, though it sometimes has a jingle, sometimes no rhyme at all. "The Single Hound" is as surprising as a cold douche, as acute as the edge of a precipice, as lambent as a meteor cleaving the night. "If I feel physically as if the top of my head were taken off," she said, "I know that is poetry." To those who like to find their brains exposed to the illimitable I recommend this white and fearless New England spinster.

Except the smaller size, no Lives are round.
These hurry to a sphere, and show, and end.
The larger, slower grow, and later hang—
The Summers of Hesperides are long.

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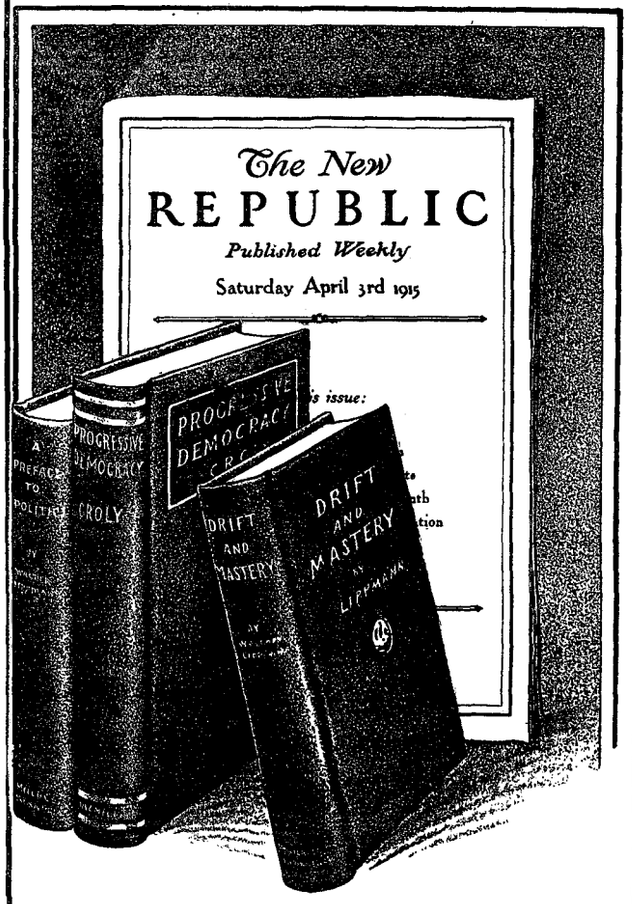

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